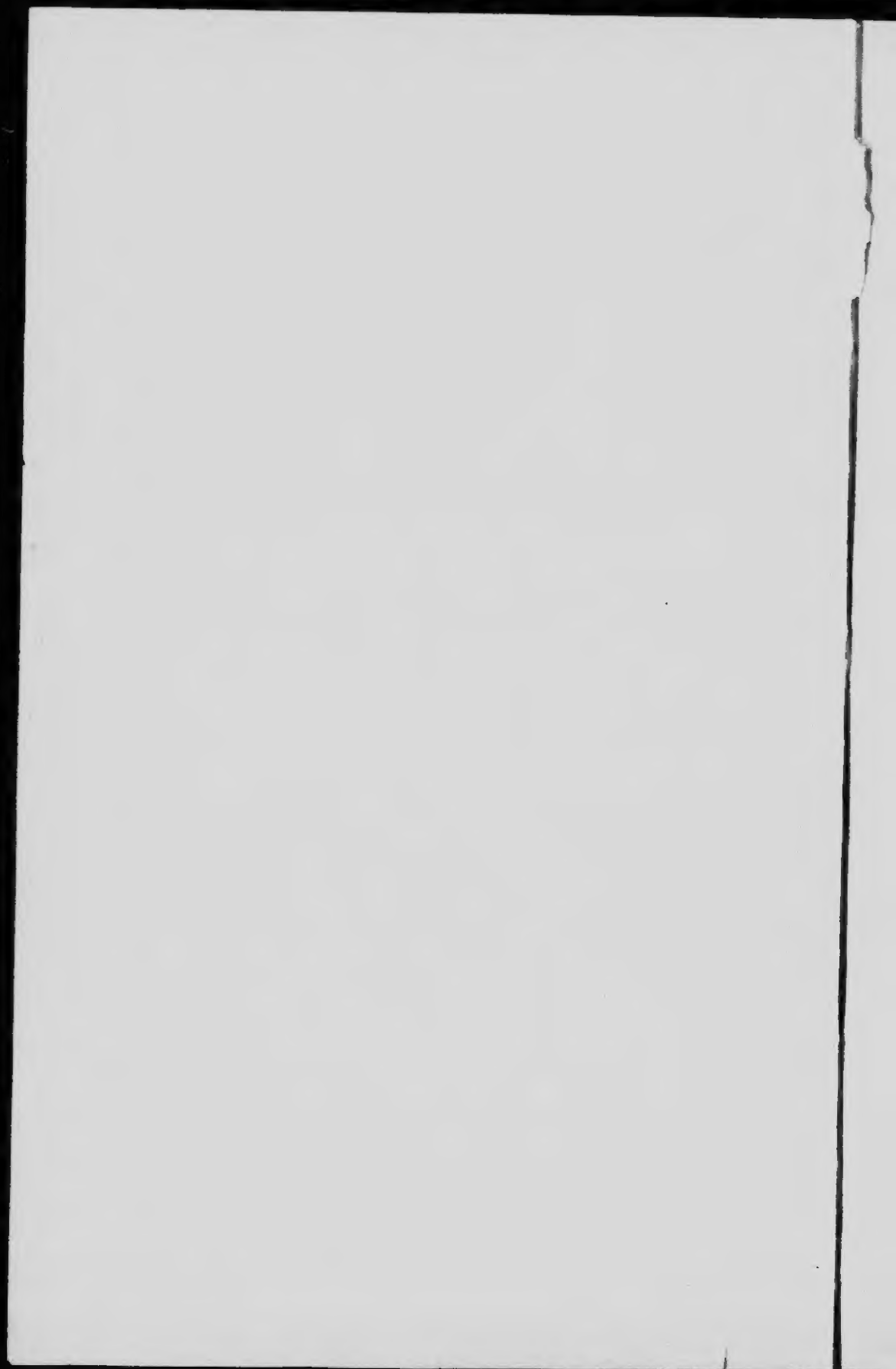


CLERICAL CONTROL IN QUEBEC



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# Clerical Control

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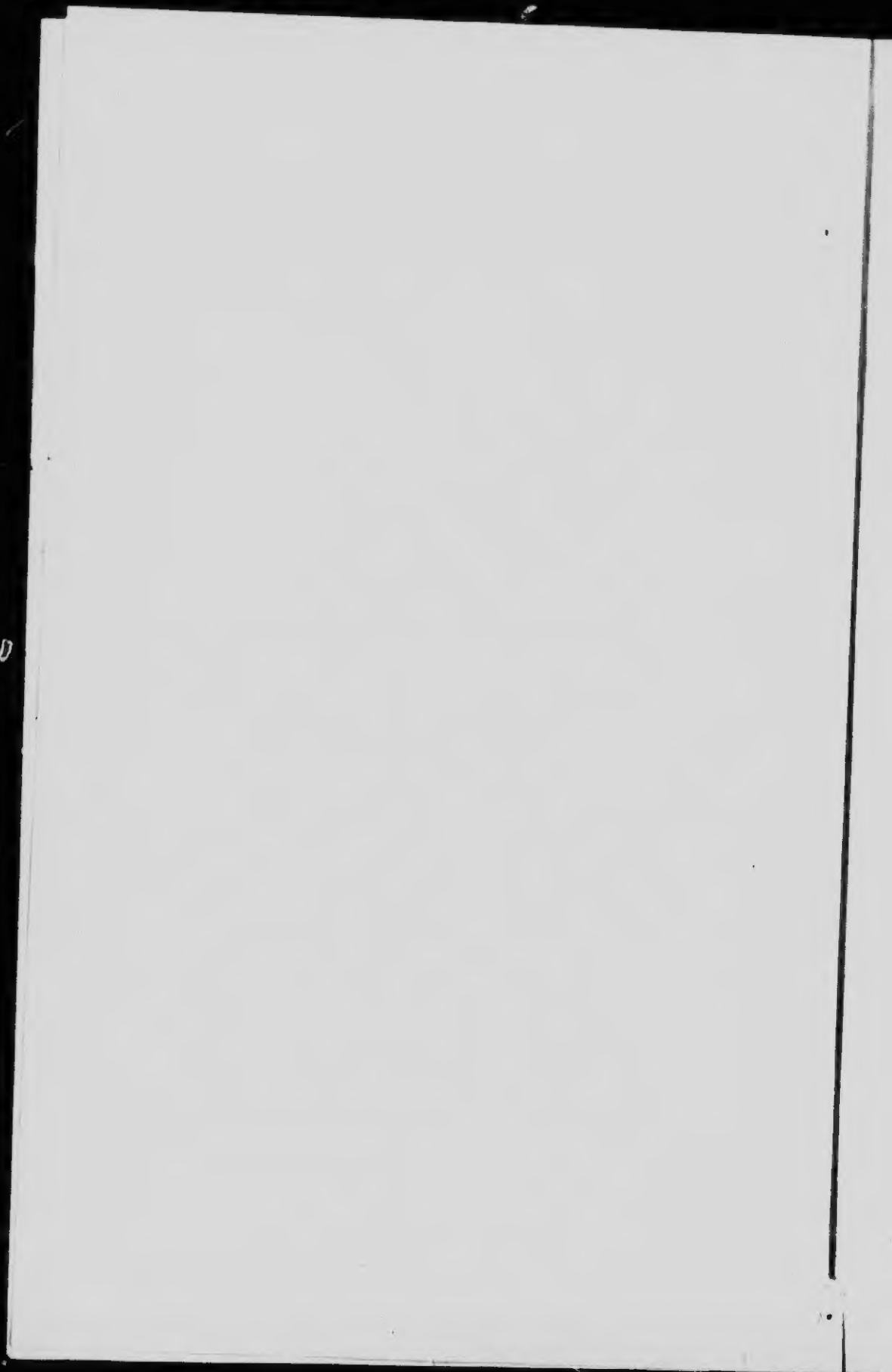
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Toronto:  
The Sentinel Publishing Co.  
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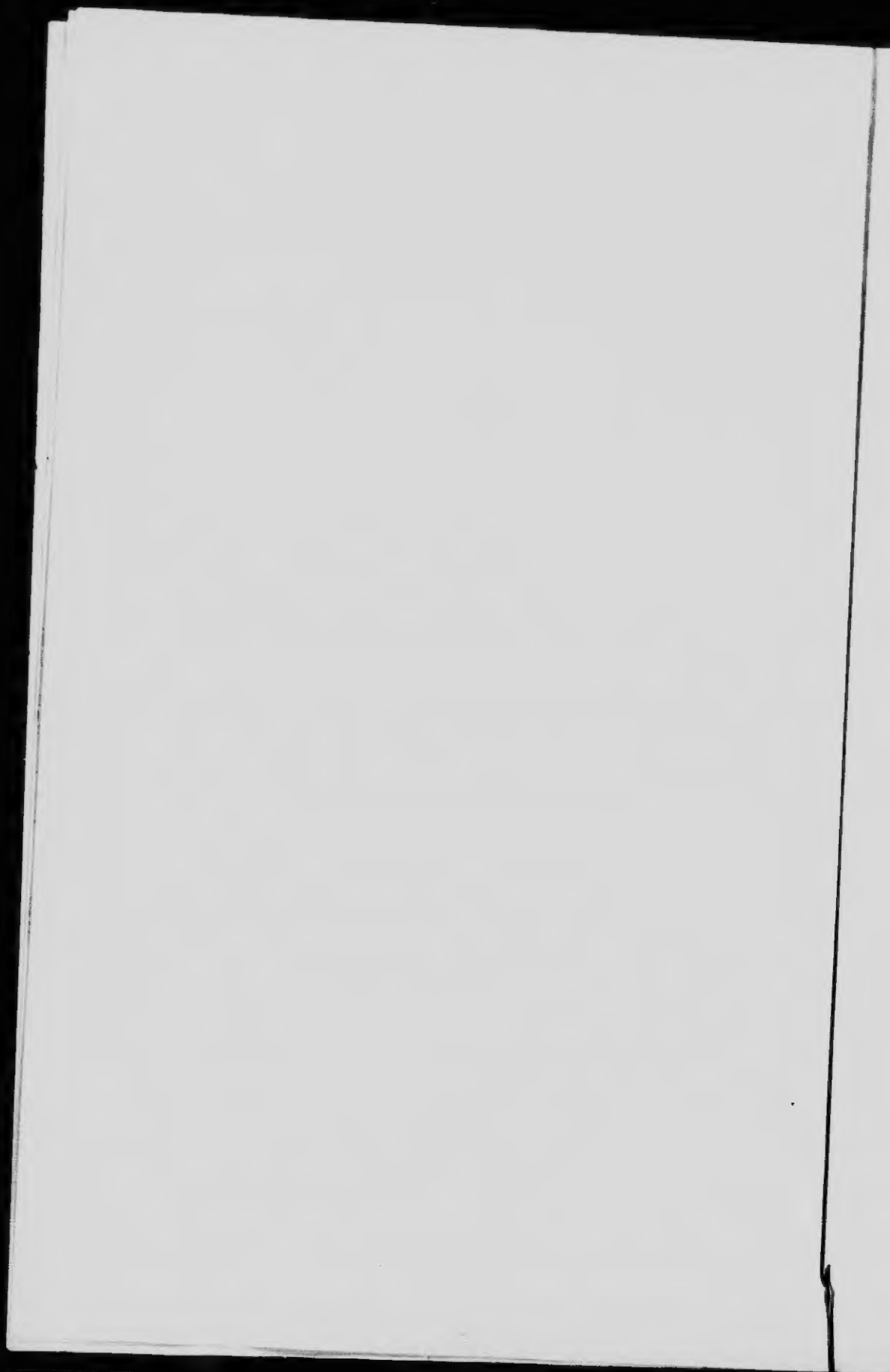
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## CONTENTS

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CHAPTER I.—Theocratic Quebec .....	Page. 7
CHAPTER II.—French-Canadian Expansion....	29
Section 1. The Motherland, Quebec.	
Section 2. The Exodus to New England.	
Section 3. The Invasion of Ontario.	
Section 4. The Acadian Revival.	
CHAPTER III.—The Organization of the Parish.	67 *
CHAPTER IV.—The Educational System .....	77 —
CHAPTER V.—Clerical Censorship .....	95 —
Section 1. Censorship of the Press.	
Section 2. Censorship of Books.	
Section 3. Censorship of the Theatre.	
CHAPTER VI.—Clerical Control of Marriage... 128	*
Section 1. The Prohibition of Mixed Marriages.	
Section 2. Church Law in the State Courts.	
CHAPTER VII.—Undue Influence in Elections..	144 —



## CHAPTER I.

### *Theocratic Quebec*

It has been said that the privileges which the Catholic Church enjoyed in the France of the Old Régime were conferred upon her as a reward for services against the barbarians. The same may be said of the Catholic Church in Quebec, only that the barbarians, in this case, are the English. From the time of the Conquest to the time of Papineau's rebellion competent observers believed that the French-Canadians would lose their nationality. Tocqueville, when he visited America in the early thirties, regarded them as "the wreck of an old people lost in the flood of a new nation."<sup>\*</sup> We are told that Garneau, as he "heard the dull booming of the immense rising tide of the Anglo-Saxon race," wondered if his history of Canada was not a funeral oration.<sup>†</sup> That the prophets have been confounded, that the French-Canadians have remained French and clung to the language which they brought from their Norman and Breton homes, is largely the result of clerical leadership.

That fact receives ample recognition. "Is it by throwing discredit on the French-Canadian clergy," said the Valleyfield *Progrès*,<sup>§</sup> "that we will improve the circumstances of our race? Even in the absence of all religious conviction every Frenchman worthy of the name ought to do all in his power for the greatness of our national clergy. They are our only resource against the enemies who surround us."

<sup>\*</sup>De la Démocratie en Amérique, ed. 1835, vol. i., p. 499.

<sup>†</sup>Laureau, Histoire de la Littérature canadienne (Montreal, 1874), p. 161.

<sup>§</sup>Quoted in La Verité (Quebec), 26 November, 1892.



In a book which was condemned by the Archbishop of Quebec and placed upon the Index appears this glowing eulogy: "In no country has the Catholic religion been as intimately connected with the history of a people as in Canada, and nowhere has she made her presence felt in a more striking manner or by more admirable works. She has been the soul, the originating and directing genius of our nationality. . . . Hovering over our cradle, she surrounds it with a bright aureole. The priest was the friend, the brother and the companion in arms of our fathers. He partook of their dangers, their joys and their sufferings; he wept and rejoiced with them; he followed them on the field of battle, in their heroic journeys across the American continent, always at their side to encourage, aid and console them, and to plant the cross where they set up the flag of France. He did everything, sacrificed everything, suffered everything to aid them in founding on the shores of the St. Lawrence a French and Catholic nation.

"And later, when the French flag, wet with the tears and the blood of our ancestors, had recrossed the seas, carrying with it whatever nobles the balls and the bullets had left in the country; when the Canadian people did not know where to look for friends and protectors, the priest did not abandon them; he stayed to help them remain French and Catholic. To him we owe the colleges and schools where our fathers, the Papineaus, the Bédards, the Panets, the Parents and the Bourdages got the knowledge which they needed to defend by written and spoken word, in Parliament and in the press, the religious and national rights of our ancestors."

After the Conquest the church became the natural leader of the people. Now that the military and civil officials, the merchants and capitalists, had returned to France, the peasants had nowhere else to look for guidance. Poor, illiterate, altogether untrained in the conduct of public affairs, they confided their future to men who were accustomed to wield authority and exact obedience and who had every reason to oppose

\*L. O. David, *Le Clergé canadien, sa mission, son œuvre* (Montreal, 1896). See below, Chapter V., Section 2.

anglicising influences. The clergy were anxious to keep the peasants free from contact with the English, because the English were also Protestants. It was in this way that the peculiarly intimate alliance between clergy and people came about, destined to leave a deep impress upon the institutions of the country and upon the national literature. Patriotism and religion were joined together. To-day French-Canadians sing in their national anthem:

O Canada, terre de nos aïeux,  
 Ton front est ceint de fleurons glorieux.  
 Et ton bras sait porter l'épée;  
 Il sait porter la croix;  
 Ton histoire est une épopée  
 De plus brillants exploits;  
 Et ta valeur, de foi trempée,  
 Protégera nos foyers et nos lois.

What has the church done to justify her assumption of leadership? First of all, in spite of obstacles which at times threatened to wreck all her efforts, she has succeeded in giving the French language and the French race a secure position in Quebec; and that has been justification enough in the eyes of a people who do not seem to care that the intellectual and economic stimulus to be derived from free contact with the English has been sacrificed to the satisfaction of a sentimental aspiration. Many different means have been employed to bring about this result. The church has forbidden "mixed marriages"—that is, marriages between Catholics and Protestants—under pain of excommunication and, as a part of that policy, has discouraged all social intercourse between the two races.\* For her own reasons she prevented the establishment of a public library in Montreal, projected as a bond of union between French and English, and struck down the Institut Canadien where they met together.† Not only has a system of education been developed in which the French have their own schools and colleges, but attendance at the Protestant English schools, which usually provide a better course of

\*See below, Chapter VI., Section 1.

†See below, Chapter V., Section 2

*cu tyral  
language*

studies and more efficient instruction, is strictly prohibited.\* The clergy have given every encouragement to the work of purifying the language of intrusive "anglicisms"—a movement which resembles the classical revival in Greece about a century ago; and among French-Canadian authors the church has been represented by such men as Abbé Ferland and Abbé Casgrain.

Not only have the clergy kept the people French; as colonizers they have helped to build up the nation, opening up new lands for the relief of over-crowded districts, or placing men of their own race and religion upon farms which were once occupied by Englishmen.† It was a priest, the famous curé Labelle, who gave the province its first coherent colonization policy, and took office in the government to see that it was carried out. It was a priest, everywhere called "the Apostle of the Saguenay," who made that region known and covered it with prosperous farms. Priests like Abbé Paradis have directed settlers to New Ontario and the shores of Lake Témiscamingue. The displacement of English farmers in the Eastern Townships and other parts of Quebec has been accomplished, not simply by the natural movement of population, but by the systematic planning of the clergy who are prompted by the desire to collect more tithes, as well as by religious and national feeling. They followed in the wake of the great "Exodus" to New England and, organizing parishes and schools, did what they could to preserve the French language and the national traditions.§ But no achievement redounds more to their credit than the revival of the Acadian people.‡

With the misfortunes of the Acadians everyone is familiar, whether from the poetry of Longfellow or the narrative of Parkman. It was generally believed, as late as the middle of last century, and even in the Province of Quebec, that those misfortunes had destroyed them; in fact, the story of their astonishing

\*See below, Chapter IV.

†See below, Chapter II., Section 1.

§See below, Chapter II., Section 2.

‡See below, Chapter II., Section 4.

survival was first recounted to the world in 1887 when Casgrain wrote his "Pèlerinage au Pays d'Évangéline." The handful of peasants who were driven from their homes and scattered over the Atlantic sea-board in 1755 have developed into a vigorous people, proud of their history and confident in the future. They have their own flag, their own national holiday, their own newspapers; in the public schools they are allowed French books and French teachers. All this is very remarkable; and it was accomplished entirely under the leadership of the church. It has given the church one more claim upon the gratitude of the French-Canadians, because the two French peoples are drawing closer together as they feel, more and more, the necessity of union in the struggle to maintain their common nationality.

For her notable services against the barbarians the church has received equally notable rewards. Above all, she has received the loyal support and affection of the people she has served. Cardinal Vannutelli, as he passed up the St. Lawrence to represent the Pope at the Eucharistic Congress in 1910, received from every parish on its shores a welcome which could have been equalled in no other country in the world. He said that it reminded him of a day in the Middle Ages.\* No better description could have been given of the spirit which animates Catholic Quebec. Where else are episcopal decrees obeyed as if they were the judgments of civil courts or the enactments of civil legislatures? Where else do powerful newspapers and popular theatres wither and die under the blight of ecclesiastical interdict? *Le Canada-Bevue* was destroyed because, with some show of reason, it attacked the morals of the clergy; *L'Electeur* was destroyed because it held that voters need not follow the directions of the church on political and constitutional questions.† The Théâtre des Nouveautés was forced to close its doors and afterwards accept a board of clerical censors because it produced a play which seemed to condone suicide.§ It is upon the same sanc-

\*Mail and Empire (Toronto), 5 September, 1910.

†See below, Chapter V., Section 1.

§See below, Chapter V., Section 3.

tion of popular approval—and popular superstition—that the prohibition of mixed marriages and of attendance at Protestant schools rests.

To many acts of the clergy, however, the state has undertaken to give legal sanction. Thus, parish priests are not supported by voluntary offerings, but by payment of the tithe which the civil courts will enforce; and churches are not built by popular subscription, but by levying a regular tax upon the freeholders of the parish and collecting it by legal process if necessary.\* Thus, too, the whole educational system has been placed under clerical control; so that ecclesiastics are permitted to teach without having received any diploma, and primary schools are used mainly for instructing children in the catechism and preparing them for their first communion. With regard to the important subject of marriage the Civil Code has been interpreted so as to give almost complete authority to the church. From judicial decisions it would appear that the marriage of two Catholics can be celebrated validly only before the parish priest of one of the parties, and that an alleged marriage celebrated in defiance of any of the numerous canonical impediments or before a Protestant minister is void.† The courts have frequently limited themselves to determining the civil effects, after the church has rendered decision as to the validity or nullity of the marriage tie.‡

Not contented with what the state has given, the church has demanded more. In principle, at least, she has clung persistently to "benefit of clergy." It is contended that civil magistrates have no jurisdiction over the acts of ecclesiastics performed in the discharge of their priestly functions;§ and a judge of the Superior Court accepted this doctrine in a case where voters had been intimidated by threats of spiritual penalties.§ Although the Supreme Court declared, in the same case, that the assertion of clerical immunity was preposterous, the church has not changed her ground. The bishops have simply pro-

\*See below, Chapter III.

†See below, Chapter VI., Section 2.

§See below, Chapter VII.

claimed that, in view of the social and political condition of the province, and in view of the absence of ecclesiastical tribunals, the clergy may submit to civil jurisdiction in temporal or mixed matters\*

Another doctrine that has received expression from time to time is that of the supremacy of the church over the state. "The Church is not only independent of civil society," we learn from a pastoral letter issued by the hierarchy of Quebec in 1875,† "but she is superior to it because of her origin, her comprehensiveness, and the object which she sets before herself." On the occasion of Bishop Bourget's jubilee in 1876 Father Braun preached a sermon which was afterwards printed by authority. He said:§ "The Church is an independent society. Every one admits this principle. The State is subordinate to the Church. The truth is admitted. No one now dares to deny these two Catholic dogmas. But many . . . do not see the consequences which flow from these principles, and dare to doubt them. But the day, we trust, is near at hand when governments, repudiating their errors, will at length recognize the truths proclaimed by the First Council of Quebec. The Church herself enacts ecclesiastical laws, without any recourse to the State, and it is the duty of the State to recognize them and submit to them. The Church may, whenever she thinks proper, require from the State a civil sanction for her laws. . . . The State does not enact the law, nor does it discuss the same; that is beyond its jurisdiction." The preacher concluded with this summary of his principles: "The supremacy and infallibility of the Pope; the independence and liberty of the Church; the subordination and submission of the State to the Church; in case of conflict between them, the Church to decide, the State to submit. For whoever follows and defends these principles, life and a blessing; for whoever rejects and combats them, death and a curse." In other words, the ecclesiastical authorities

\*David, *op. cit.*, p. 57.

†See below, Chapter VII., p. 145.

§Quoted in Sellar, *The Tragedy of Quebec* (Toronto, 1908), pp. 182-183.

in Quebec assert the right to direct the action of the State in every matter which may touch, however remotely, the morals of the people or the interests of the Church. Little has been heard of the doctrine since 1896, when the people spoke their minds about it at the polls. In fact, the Church has begun to receive intimations that the present is not a favorable time for the unveiling of her ultimate ambitions.

Excessive pretensions, intemperate craving for power, the determination of the clergy to make their will dominant where modern practice allows freedom of choice to the individual—these things have raised up enemies who are sometimes more violent than the church herself. Anti-clerical sentiment is growing in Quebec. "If the chiefs of the church heard the talk and comments to which these abuses give rise," wrote Senator David,\* "if they knew what good Catholics and irreproachable parents repeat freely, they would be frightened. Unhappily, the truth reaches them with difficulty, through the smoke of the incense which envelopes them; respect and the fear of displeasing them or of giving them pain too often closes the mouths of the worthy men who surround them. . . . The danger which menaces the influence of the clergy and of religion itself is great, serious, incontestable. History repeats itself eternally, because men are always the same, susceptible to the same feelings, subject to the same influences, to the same reactions." French-Canadians are beginning to wonder if clerical dictatorship has not become an anachronism; if the large powers, which were entrusted to the church at a time when the very existence of the nationality was in peril, should not be recalled now that the circumstances have changed. To-day their danger is mainly economic; and the church has shown no disposition to meet that danger by raising the standard of education and giving it the practical character which would prepare students for commercial and industrial careers. — She is too much concerned with the preservation of her powers and with the enforcement of obedience at the expense of individual initiative and self-reliance. She is not

\*David, *op. cit.*, pp. 114-115.

disposed to lay down her dictatorship like a Garibaldi or Cincinnatus.

Though obviously perturbed by the gathering of the storm about them, the clergy have taken no step in the direction of compromise and concession. At the most they have kept some of their impracticable theories, such as that of clerical immunity, in the background and talked vaguely of conservative educational reform. Like the manorial lords on the eve of the French Revolution, they meet criticism with an increased display of their powers. Theatres and newspapers have never been so closely watched, Catholics have never been so strictly separated from the Protestants, as in the first decade of this century.\* "That a concerted and systematic effort is being made," said the *Quebec Telegraph*,† "to establish the politico-religious situation which caused so much trouble and heart-burning in this province some twenty-five or thirty years ago, and which culminated in the direct intervention of the papal authority through its various Apostolic Delegates to curb the growing encroachments of ultramontanism or Castorism upon civil and religious liberty, must be plain to everybody."§ The same fight which was fought then will evidently have to be fought over again." Said the *Montreal Witness*:‡ "The French-Canadian is more passionately attached to his language and his religion than to his church. There can be no doubt that a fear of the truth of this statement exists in the minds of the hierarchy. The establishment at enormous expense of a daily paper, the *Action Sociale*,|| to defend the interests of the Catholic Church in the province, where it is popularly supposed to be all-powerful, is evidence that cannot easily be overlooked. Was the regular press of the

\*Evidence of this will be found in Chapters IV., V. and VI.

†6 July, 1908.

§See Chapter VII. for ultramontane movement.

‡4 July, 1908.

||The first number appeared on 21 December, 1907. Once a year, on St. Michael's Day, a collection is made throughout the arch-diocese of Quebec for its support (*Action Sociale*, 11 January, 1908).



country not obedient enough? With lip-service it has certainly been lavish. Yet it has been the subject of discipline. One leading paper whose traditions and ancestry have all been those of independence, and which recently received a public whipping for talking too freely, has now apparently become the docile organ of Catholicism.\* Why this renewed nervous excitement on the side of bondage? Can it be that our French-Canadian fellow-citizens are showing signs to the acute observer of restiveness under the domination of an aggressive clericalism and the multiplication of ecclesiastical institutions, the cost of whose maintenance naturally falls to their lot?"

Restiveness there is among the French-Canadians, showing itself quite plainly in spite of all the formidable display of clerical power. It has drawn strength from many different sources: from a recognition of inferiority in matters of education and in freedom of speech as compared with the Protestant population in Montreal or in Ontario; from the knowledge, disseminated by repatriated emigrants to New England, that the church pursues one line of conduct in Quebec and another in the United States; from the steady growth of labor organizations which, having objects of their own, break free from clerical leading-strings; and from observation of the course of events in France where conditions at the opening of the century provide Quebec anti-clericals with instructive analogies regarding the schools, the religious orders and the bitter hostility of the church to the dominant political party. Freemasonry, child of the Grand Orient of France, has made its appearance, fiercely anti-clerical and bent on sinister work. Already placards have been posted about Montreal denouncing the priests as enemies of progress.† Well-known newspapers—like *Le Canada* and *L'Avenir du Nord*—are suspected of being organs of the Masonic group;‡ others, like *Les Débats* and *La Semaine*, expressing themselves with

\**La Patrie* (Montreal).

†*Action Sociale* (Quebec), 10 August, 1910.

‡*La Croix* (Montreal), 15 September, 1906, calls *L'Avenir* "a paper in which Freemasons of mark and some free-thinkers who show their teeth write under borrowed names."

less discretion and reserve, have been struck down by a kind of episcopal law of the suspects.\*

Freemasonry is a plague which the church fights ruthlessly. The first Plenary Council of Quebec, in 1910, reminded the faithful of "the severe condemnations pronounced by the Church against those who, trampling upon the promises of their baptism and the instructions of their faith, are not afraid to enter these Masonic lodges and covenant there with the worst enemies of religion. . . . Those guilty of such conduct are cut off from the body of the Church and are exposed to all the rigors of the ecclesiastical laws if they die without recognizing their mistake and without repairing the scandal."† In view of this hostility French-Canadian Masons need all the courage and conviction of early Christians, and must meet together secretly in the catacombs. They are a resolute band, converted by missionaries who have brought the gospel from France; but in order to avoid the persecution which would follow upon discovery, they have tried to keep their activities and the existence of their lodges carefully hidden.

Nevertheless, the clergy have found them out. At first there was only suspicion and vague gossip. In 1903 *La Croix* asserted that a lodge called Emancipation existed in Montreal, and was affiliated with the Grand Orient of France.§ According to its story "a certain venerable person named Langlois" broke away from a lodge belonging to the English Masonry "under the pretext that he had not found enough anti-Catholic zeal there;" and that "it was this schism . . . which gave birth to the Emancipation lodge, as we know."† "M. Langlois," it asked, "are you a Mason? We suppose that the management of a paper that pretends to be the organ of a great political party, of a party which calls itself liberal, should have the frankness to respond. Yes or no, M. Langlois, are you a Mason? . . . Answer, M. Langlois. Are you a Freemason?"||

\*See below, Chapter V., Section 1.

†Action Sociale (Quebec), 11 April, 1910.

§(Montreal), 13 December, 1903.

†27 December, 1903.

||La Croix, 13 December, 1903.

A few years later suspicion began to ripen into certainty. In 1909 Archbishop Bruchési declared that he had read the constitution of the lodge Emancipation, and that its object was to combat the Roman Catholic Church and to de-Christianize the people.\* About the same time a witness, being examined in connection with the bribery investigation in Montreal, accidentally divulged the fact that he was a Mason. "One remains in the impression," commented *La Verité*,† "that the sect holds certain members of the City Council in its powerful tentacles." Of the same affair *L'Action Sociale* said:§ "Thus it is that, unknown to us, the sectaries possess themselves of all the social wheel-works. . . . The tenets of Freemasonry have already crept among our public men, into the magistracy and the liberal professions. . . . We hope that this incident will open people's eyes to the peril which we are running." It was pointed out by a Montreal paper that there were already in the Provincial Assembly a small group of deputies who "boast almost publicly that they no longer believe in the trifles of the curés. They affect an equal disdain for Lacordaire and Bossuet, for Montalembert and Fénelon. In their eyes Joseph de Maistre is an 'idiot.' They call Louis Veuillot a cretin. As for Pascal, he had genius, they say, but was not sincere. . . . They believe no longer in Jesus Christ, but they believe in Laurier. . . . Anti-clericalism exists among us, that is sure."‡

The definite unmasking of the anti-clerical lodges was brought about in a curious way. In April, 1910, the secretary of the Emancipation lodge, returning to his home at night, was robbed of some important papers, and of the book containing the minutes of lodge meetings, though the thief left him his watch and a considerable sum of money.|| Soon afterwards and possibly as a result of this, appeared a pamphlet which gave very definite facts regarding the Emancipa-

\*Evenement (Quebec), 25 May, 1909.

†*La Verité* (Quebec), 15 May, 1909.

§Quoted in *La Verité*, 15 May, 1909.

‡*Le Nationaliste*, quoted in *La Verité*, 22 May, 1909.

||*La Patrie* (Montreal), 31 May, 1910.

tion lodge and its offspring, the "Force et Courage."<sup>2</sup> The number of members and their names were given; though the facts were not proved, they were too specific to be seriously doubted. The exposure made a great sensation. It implicated certain well-known politicians and professional men, and put them at the mercy of the church militant. How their heads are to fall may be gathered from the remarks of Archbishop Bégin's organ, *L'Action Sociale*.† "We shall take advantage of the political calm in Montreal to wage hard and furious war upon the Masonic groups which for years have made unsophisticated people believe that they are the controlling force in the Assembly, in the City Council, and even in our public celebrations. Thus we have among the medical inspectors of the Catholic schools a member of the lodge and an anti-clerical such as one seldom meets. This gentleman . . . will learn to his cost that our Catholic schools have the right to reject his services. . . . We are assured that this doctor will not grow old as medical inspector. . . . Another, an ex-brother, who had the lodge give him his *exeat* in order that he might prove before the courts that he was no longer a Freemason, will no longer have the desire to pass the time of the provincial session in the lobbies of the Chamber, at the doors of the committees and at the Liberal caucuses so as to look after the small business of the brothers, for the Catholic Cabinet Ministers are preparing to give this 'emancipated one' the desire never to return to Quebec again. Another brother of the same kind, who is burning with desire to enter the Legislative Council, will have to keep his ambition quiet for some years. . . . Indeed, it is hardly likely that Brother X—will be named judge. . . . Indeed—. Indeed—. Indeed—. For, after all, have we not also the right to organize ourselves, provided that our zeal is exercised in the light of heaven, openly and honestly? The months of summer, which are a time of rest for many, will be this year, for a group of our fellow-citizens, a time of assiduous

<sup>2</sup>A. J. Lemieux, *La Loge d'Emancipation* (Montreal, 1910),

†(Quebec), 10 June, 1910.

work. He who lives will see."

On the heels of the first exposure came a second, even more sensational. According to evidence given before the Montreal City Council, four men secreted themselves beneath the lodge room of the Emancipation and, by using an acoustic apparatus, overheard the discussion of a plot which was to bring scandal upon the Eucharistic Congress.\* Great numbers of people, including many priests, would visit the city on that occasion; and lodging would be difficult to find. It was proposed, therefore, that a few priests should be directed to houses of ill-fame, photographed there in compromising situations and arrested in raids arranged by a Masonic inspector of police. Such a plot would have inspired John Dryden to write a play, but it was not of a kind likely to enlist popular support for the anti-clerical cause. It suggests something of the intense bitterness which animates both parties in the struggle. The clergy are bent upon extirpating their critics; it is the object of the Masons to free the province from what they regard as the blight of clerical domination, to make the press free, to make speech free, by undermining the influence of the clergy and laicizing the schools.

Their assault upon the school system is fundamental. It is in the schools that the clergy take hold of the young and mould them to obedience. As will be shown in another chapter,† they exercise almost complete control; prescribing the studies, authorizing the books and bringing to bear upon the students influences which are calculated to leave a permanent impress. In fact, the schools of Quebec develop loyalty to the church in the same way that the schools of other countries develop loyalty to the state. The Masons—and with them many thoughtful Catholics who wish well to the church—believe that it is necessary to change this situation. Probably the ultimate object of the radicals is to break the spell of clerical ascendancy over the people. The immediate object is to modernize the schools and to relieve French-Canadians of the handicap of inferior education. Hence

\*Action Sociale (Quebec), 30 July, 1910

†See below, Chapter IV.

the agitation for a Minister of Education, in the place of the bishops, and for free and obligatory instruction. "It is indisputably established," said *La Verité*,\* "that obligatory instruction is preached by the Freemasons especially, and that the countries which have allowed this measure to be imposed on them have demonstrated its failure. . . . It is by means of obligatory instruction above all that the adversaries of religious instruction hope to take the child from paternal authority and the salutary influence of the church, in order to throw him into the arms of the state."

It must be admitted that "the salutary influence of the church" is the chief point of attack. That salutary influence, far from taking the lead in effecting necessary reforms, has thrown its mantle about the schools and made criticism a sacrilege. "This passion of wishing to put religion everywhere," complained *Le Canada*,† "is deplorable, and it might be said that it does religion itself more harm than good. These sectarians increasingly strive to create the impression that there is danger in all progress, and that each intelligent and generous reform in the domain of education is under suspicion of neutrality and evil design." It is dangerous to criticize or even to suggest improvements; and so a growing number of radicals believe that the schools must be laicized before they can be made efficient.

It is in Montreal, where Protestant and Catholic schools stand side by side inviting comparison and where competition in commerce and industry makes the French feel the inadequacy of their training, that the reform movement has gathered most headway. The Board of School Commissioners, though opposed by the ecclesiastical members, has established practical freedom of instruction and uniformity of books.§ Previously the religious orders had made some profit—*ad majorem dei gloriam*, as *Le Pays* remarked irreverently‡—by getting authorization for the books

\* (Quebec), 21 December, 1907.

† (Montreal), quoted in *Action Sociale* (Quebec), 3 June, 1910.

§ *Action Sociale* (Quebec), 29 March and 6 April, 1910.

‡ Quoted in *Action Sociale*, 29 March, 1910.

which they printed and sold without taxation by the state. But the great victory of the radical programme, apparently the first step in a revolution, was the founding of the *Ecole des Hautes Etudes Commerciales* in 1908.\* It is true that an Abbé of the Church blessed the corner-stone; but the ceremony was strangely free from the usual clerical tone, and the school itself is entirely under lay control. The members of the governing corporation are nominated by the French-Canadian Chamber of Commerce and appointed by the Lieutenant-Governor.\*

The significance of this will appear best from the comments of clerical papers. Said *La Verité*:† "On different occasions we have marked the tendency which is showing itself among us in favor of state education; it is the dream of a certain group of our reformers who want the state to usurp completely the rights of parents and of the Church in primary, secondary and classical instruction. In fact, the government has just brought to our view, without anybody noticing it, so to speak, the very thing which the promoters of the projects of obligatory instruction, of free and uniform books, and of the minister of public instruction desire so ardently; that is, a system entirely lay, political and governmental. We see in the constitution of the system of the *Ecole des Hautes Etudes* that the representatives of religious authority have been completely overlooked. They have been excluded from an institution in which, however, they ought to have had a voice in certain branches of the prescribed programme of studies. Has religion nothing to do with questions so important as: political and social economy, the study of the relations between capital and labor, between employer and workman, constitutional law, etc.? Religious and moral training should not be separated from instruction in these matters any more than it should be from our classical studies. We repeat: there is an unfortunate tendency to exaggerate the rights of the state in education to the detriment of the rights of the Church." What the "rights of the state" are may be gathered from the declaration of the Superin-

\*Incorporated by 7 Edward VII., Chapter 23.  
†28 December, 1907.

tendent of Public Instruction that the sole right of the state in matters of education is to furnish the funds.\*

*L'Action Sociale* said:† "Before sending their children to this school, Catholics will wish to assure themselves that its atmosphere is not deleterious to those whom they are protecting. If this atmosphere is poisoned with neutrality, parents and children will go elsewhere." And again:§ "Over the sciences which touch the life of man—and some of these sciences will be found in the Ecole des H. E. C.—over this life itself, above all the young age, over the sciences and methods 'which regulate human activity and which bear upon religious authority through their directing principles' the Church should be able to exercise her imprescriptible right, not of exclusive domination, but of oversight and direction. . . . The Church has the right to complain and protest if she and all religion are excluded positively from an establishment where neither the directors, nor the professors, nor the fellows admit her influence and her authority."

The strength of the attack upon the educational system is its economic basis, the demand for a training that will place French-Canadians on an equal footing with their competitors. The growing hostility to the religious orders is also economic.

Considering the small population of the province and the rather poor circumstances of the French-Canadians, the number of religious orders is extraordinary. According to a recent writer "twenty-five distinct orders of men, with over three thousand members, have their headquarters in the Province of Quebec; and fifty-three of women, with considerably over ten thousand nuns."‡ Relatively, therefore, the monks and nuns are much more numerous than they were in France when the Associations Law was passed (1901). For this the policy of M. Waldeck-Rousseau is partly responsible. Dissolved congregations have found a happy refuge in Catholic Quebec, where the Legislature has readily granted acts of incorporation. Two were incorporated in 1901, one in 1902, two in 1903, eight in 1904, four in 1905, two in 1906, three in 1907, six in 1908. They have to secure episcopal

\*Le Canada (Montreal), 3 July, 1908.

†3 June, 1910.

§14 June, 1910.

‡Sellar, op. cit., p. 157.



authorization also. That this is granted reluctantly sometimes may be gathered from the remark of the clerical organ *La Croix* that "the people want them even less than the bishops do;"\* and popular discontent, based on the conviction that the rapid increase of religious establishments handicaps the province economically, has begun to find open expression.

Who, it is now being asked, feeds these monks and keeps them warm through the Quebec winter; who but the people of the province? A few pay their way legitimately enough by conducting charitable institutions subsidized by a government which has not asserted itself fully in that field. Thus the Mariast Fathers of Notre Dame de Montfort have contracted to receive, feed, clothe and teach all children of the male sex who are sent to their industrial school, the government paying six dollars a month for each child.† But other monks, giving themselves up to contemplation, live on alms; and their public begging perpetually reminds the people that they are parasites. Others devote themselves to teaching, either in their own institutions or in the public schools. As they are permitted to teach without the diplomas required of laymen, this discrimination rouses animosity among those whom they compete with and displace. The schools are falling more and more under the direction of untrained clerical teachers.§ There is a more pronounced feeling against those orders which engage in retail trade. Exempt from taxation, they compete with laymen in many walks of life—as bakers, gardeners, publishers, laundrymen, etc. All over the city of Quebec and its suburbs their delivery waggons are to be seen.

"In spite of all that has been said, of all the protests that have been made on the subject," the Quebec *Telegraph* remarked recently,‡ "it would appear that untaxed religious communities here and throughout the province are still continuing to give the most serious competition to our heavily burdened retail trade and many of our handicrafts. And this compe-

\* (Montreal), 15 September, 1906.

†5 Edward VII., cap. 5.

§See below, Chapter IV.

‡16 July, 1909.

tion seems to have grown keener and keener, and worse and worse, since the introduction into our midst of large numbers of the expelled religious houses from France. In laundering, printing, bookbinding, boarder and lodgerkeeping, and in many other callings and branches of trade and manufacture the business carried on by laymen and women is so gravely handicapped that in many instances it has been completely crushed by the unfair rivalry. A local dealer in stationery, school books and school supplies, etc., who formerly carried on a large and prosperous trade in these lines, told our representative not long ago that he had been forced to close down on them altogether and to sublet half his store, his trade having been most entirely killed by the competition of the untaxed religious communities. Among other things, he complained that the children attending the schools conducted by such communities were now compelled to buy all their books and other school supplies from the stores kept by these communities in their own establishments and at prices fixed by themselves.

"That a very sore and even a very ugly feeling is being engendered among the lay element against these unjust encroachments upon their legitimate field is therefore not surprising, and it is a question if the cause of religion will gain in the end by persistence in them. Naturally the matter was brought up and discussed at the recent annual meeting of the Quebec Retailers' Association, and, in the connection, we note the following in one of our Montreal exchanges: 'Members of the Retail Merchants' Association—Association des Marchands Detailleurs—who have just returned from their annual meeting at Quebec report that a series of strong resolutions was passed there deploring the competition of the religious communities and wholesale houses which do a retail business. "It was pointed out," said one member, "that there are innumerable cases of religious houses which manufacture and often sell direct to the consumer, with the advantage of paying no taxation and of having much of the work done without cost. It is, of course, quite impossible for the ordinary commercial dealer to face such

competition, and we ask that all such enterprises pay at least ordinary taxation on the value devoted to commercial as distinct from religious purposes." " " "

Such taxation seems to be permitted by the law. A statute of 1903 declares that cities and towns "may levy certain annual dues or taxes on all trades, manufactures, financial and commercial establishments, occupations, arts, professions, callings or means of earning a profit or livelihood, carried on or followed by one or more persons, firms or corporations in the municipality."\* According to article 712 of the Municipal Code, "The following property is not taxable: . . . (3) property belonging to *fabriques*, or to religious, charitable or educational institutions or corporations, or occupied by such *fabriques*, institutions or corporations for the ends for which they were established, and not possessed by them solely for purposes of revenue." But, of course, the courts have to determine in each case what the phrase "solely for purposes of revenue" means.

There have been a number of interesting cases. In 1881 the Court of Appeal held that the Island of St. Paul, owned by the Sisters of the Congregation of Notre Dame, was exempt from taxation, although the revenues from the sale of its farm products supported their convent and school.† According to a dissenting opinion, however, the law should be read so as to exempt only the buildings occupied for educational purposes, and not the isolated and separated properties; and that opinion was followed by the Supreme Court a few years later in *Les Commissaires des Ecoles, etc., et les Soeurs de la Congrégation de Notre Dame de Montreal*.‡ This was an action to recover taxes imposed on a farm situated in a municipality where the Sisters had no school and used by them to support the mother-house in another municipality. It was held, reversing the judgment of the court below, that as the property taxed was not occupied by the respondents for the purposes for which they were incorporated, but for the purpose of deriving a revenue

\*3 Edward VII., cap. 38.

†1 Dorion, *Cour d'Appel*, 163.

‡12 S.C., 45-55, 1886.

therefrom, it did not come within the legal provisions for exemption. A decade later, in the case of *La Corporation de Limoilou v. La Séminaire de Québec*,\* the Court of Queen's Bench held that "farms belonging to educational institutions are taxable properties, and only the institutions themselves and the grounds in which they are erected enjoy immunity." Judge Lacoste ridiculed the argument that a hundred and fifty acres of land were necessary to give a few pupils pure and stimulating air.

It is hard to see how any other ground could have been taken after the Supreme Court had spoken in a similar case. Yet the decision was not unanimous, and it reversed the judgment of the Superior Court. The fact is, that however well settled the meaning of the law may be, its application to the circumstances of any given case may be made to produce peculiar results. For instance, shall taxes be levied upon a kitchen-garden whose products are partly sold at market and partly consumed in a convent school, contiguous to the farm, but situated in a different municipality? This question came before the Superior Court in 1897.† It was held that the farm served the purposes of the institution, and was, therefore, exempt. "The proof establishes that this convent is a vast institution where more than two hundred and fifty pupils . . . are received each year; that the defendants have taken every means to render it sanitary, and to preserve the health of their pupils; that, with this object, they have consecrated a considerable part of the grounds into a place of promenade and recreation, and the defendants claim that it is for the same object that they cultivate on the farm the products which are consumed in the boarding-school. . . . But, it is said, the cultivation of the land yields a revenue, the defendants not being obliged to buy elsewhere for the convent the products which they harvest. The evidence shows that this cultivation is carried on at a loss, and that there are deficits. Moreover, the object in view is to have wholesome products to complete the sanitary condition of the establishment." In

\*R.J.Q., 7 Q.B., 44.

†R.J.Q., 12 C.S., 444.

a more recent case the *Conseil* School Commissioners brought action for taxes against the Fathers of the Holy Ghost who sold market produce, wood, and lumber from their property in Wright County.\* The defence maintained, and the court upheld the plea, that the property was exempt because used for educational purposes, and because the produce was raised by students in the course of study, and as a result of experiments in agriculture. Reading decisions like these, some will wonder that any taxes whatever are levied in Quebec. Why do parents not convert themselves into educational institutions when the tax-collector makes his visit? Unfortunately, the singular tenderness of the courts, the lower courts, seems to be reserved for ecclesiastical corporations.

To some extent this attitude of the courts may explain the general immunity from taxation which monastic enterprises enjoy. Very few instances of prosecution can be found in the law reports. But a better explanation will be found in the fact that the mass of the people are still staunchly Catholic, still deeply attached to the institutions of their church. Wishing to remain French, they realize that the church has been and still is their best protection against Protestant influences; and gratitude has schooled them to acquiesce in great sacrifices.

Anti-clericalism is just raising its head. As the demands of the church increase, a vigorous minority are beginning to ask whether the sacrifices are not greater than the services. Opposition is forming—opposition to the commercial activities of the monks, opposition to clerical control of the schools. Already the clergy have met several sharp rebuffs. They have lost their dominating influence in elections. They have failed, in spite of remarkable efforts, to displace the "atheistic" tri-color flag in favor of the Carillon-Sacre-Cœur—the blue and white lily flag of Carillon with a bleeding heart and circlet of thorns in the centre. Undoubtedly a very serious crisis is impending. But meanwhile, as the following chapters will show, the church wields larger powers in Quebec than in any country of Western Europe.

\*Daily Witness (Montreal), 8 December, 1908.

## CHAPTER II.

### *French-Canadian Expansion.*

- Section 1—The Motherland, Quebec.  
Section 2—The Exodus to New England.  
Section 3—The Invasion of Ontario.  
Section 4.—The Acadian Revival.

The numerical increase and distribution of the French-Canadians have a direct bearing upon the favored position which the Catholic Church enjoys in Quebec. Without some knowledge of the process by which the English are being supplanted on the farm lands of the province, it would be impossible to appreciate the practical value of clerical leadership, or to understand the gratitude of the people and the tangible form which that gratitude has taken. Equally interesting is the part which the church has played in raising up the submerged Acadians, in colonizing the border counties of Ontario, and in protecting the French-Canadian communities in New England from assimilation.

In the year 1765—that is, shortly after the cession—there were, within the present limits of Canada, less than 80,000 French,\* uneducated, poor, and, except for their devoted clergy, leaderless—moreover, a conquered people. By the opening of the twentieth century this handful of peasants had increased to something like

\*Census of Canada, 1871, vol. 1., pp. xxviii. and 65. In using these returns I have not overlooked the few hundred English settlers included in them or the French population on the Detroit River which is not included. See Téléphore Saint-Pierre, *les Canadiens-français du Michigan et du Comté d'Essex, Ontario*, p. 174 (Montreal, 1895). Regarding the Acadians see Davidson, *The Growth of the French-Canadian Race in America* (Annals of the American Academy of Political and Social Science, September, 1896, pp. 1-99).

three millions.\* Considering their economic and intellectual circumstances at the time of the conquest and their continuous isolation since then (for France has had no surplus population to give), we must regard the mere persistence of their separate nationality as very remarkable. Unfortunately for them, however, numerical expansion has been accompanied by territorial expansion. Quebec, which might sustain a nation many times as numerous, had in 1901 a French population of 1,322,115.† Of the rest 139,000 (for the most part Acadians) were living in the Maritime Provinces; 158,000 in Ontario;‡ 30,000 in the other parts of Canada; and south of the international line, in the North Central and North Atlantic States, though chiefly in the latter, a number which stood somewhere between a million and a million and a half.‡

This territorial expansion is a weakness. The isolated off-shoots on the Red River or the Missouri will hardly contribute to the strength of the race, because they will not long remain a part of it. They will lose their nationality. They will lose it, because they are geographically isolated from the Motherland, Quebec—cut off from intercourse and association with her; because they are no longer fortified by any large accession of new blood from Quebec; and because they are a small minority among a rapidly increasing population of different origin. Their situation is not like that of the French in Quebec, for whom Durham cast the same horoscope seventy years ago.|| In Quebec, while much of the land is relatively poor or inaccessible, and does not attract the immigrant, it is loved by Jean Baptiste as the cradle of his race. In Quebec, too, the resistance to assimilation has been a simple conflict between Catholic French and Protestant English;

\*In Canada 1,649,371 (Canada Year Book, 1909, p. 3); in the United States a number which cannot be accurately fixed, but which was between a million and a million and a half. See below p. 55.

†Canada Year Book, 1909, p. 10.

‡Canada Year Book, 1909 p. 8.

‡See below, p. 55.

||Report (edition of 1839), p. 48: "The vain endeavor to preserve a French-Canadian nationality, etc."

while in the new western provinces of Canada, for instance, the French are one of many races (outnumbered by the Germans three to one) and only a minority among the Roman Catholics. It is only in Quebec and in the French districts which lie adjacent to her that the future of the race can be counted upon with any confidence. }

### Section 1—The Motherland, Quebec.

The future of the French in America will be determined upon the banks of the St. Lawrence, in the Province of Quebec. For there, taking a better relative position in every successive census, they constitute eighty per cent of the population and enjoy advantages and privileges of the largest importance. There, too, three centuries have provided one of the vital resources of a people, a history of which it is proud. As Crémazie wrote in his verses inscribed to "Le Canada":

Tu fais rayonner la lumière  
De tes souvenirs glorieux,  
Et tu racontes à la terre  
Les grands exploits de nos aïeux.

They are, in a sense, the only autochthonous people; the others, in both Canada and the United States, are a people without a past, being formed under the hand of teeming immigration. Descendants of the few thousand colonists whom France planted upon the banks of the St. Lawrence, they have kept their blood fairly pure and can cherish the days of Frontenac and La Galissonnière in a peculiarly intimate way. Those who know the songs they sing and the literature they have produced will understand how deep their love of the land goes. There is no nobler or more significant national anthem than "O Canada, terre de nos aïeux."

For various reasons, therefore, the Province of Quebec is the most important of all the French centres in America. From her mainly the race has sprung, and in her the main hope of the race is felt to lie. "If the French of Quebec should cease to be French," Senator



Poirier has said,\* "it would be in vain that we others should wish to remain so. The trunk overcome, the members would be also, in their turn. Let us remain united to Quebec."

It is sometimes said that the Province of Quebec is three-thirds French and the rest English. It is French by an overwhelming and increasing majority. In the second half of the nineteenth century the English element declined from twenty-five per cent of the total population to twenty.† In five counties an English population does not exist. In a score of others it falls below five per cent, usually well below. Almost everywhere in the country districts the tendency has been for the English majorities, where such existed, to become minorities and to sink gradually into insignificance. "The danger of assimilation," says M. Thomas Côté, "has completely disappeared for the Province of Quebec; moreover, since Confederation the tactics of our enemies no longer can be brought into play; we are the masters of our destinies. And not only have we not been dislodged from the positions already won, but we have, in addition, dislodged the others from the positions which they had taken to themselves forever, while seeking to restrain our expansion. . . . The expansive force of the French-Canadians has taken on such proportions that the foreign element, which was grouped around them like a wall of China, has been scattered to the four winds of heaven."§

This "foreign element," this "Chinese wall," is found only upon the outskirts of the province. It stretches along the Ottawa River, the international boundary, and the south shore of the Gulf of St. Lawrence, and has its chief strength on the island of Montreal. Everywhere its relative importance is declining. Gaspésie, as the peninsula in the Gulf is called, has a population which was two-fifths English

\**Annales de la Société de St. Jean-Baptiste* (Quebec, 1902), p. 501.

†For the census of 1851 see *Census of Canada, 1871*, vol. 4.

§*Le Nationaliste* (Montreal), 23 July, 1905.

in 1861,\* a third in 1881, and only a little over a quarter in 1901. Grouping together the Ottawa counties (Pontiac, Wright, Labelle and Argenteuil), we discover a similar decline: two-thirds in 1861, one-half in 1881, and in 1901 less than two-fifths.

Montreal is the stronghold of the English. In that city live thirty-two per cent. of the English population of the province, governed, it is true, by a French majority, but enjoying the wealth and distinction which result from their control of industry and commerce. The relative decline has not been so fast here as in the counties noted above. The following table refers to the city limits as constituted before the recent annexations:

English Population of Montreal†

1871 .....	45.8%
1881 .....	42.5%
1891 .....	41.7%
1901 .....	39.1%

An even better showing has been made in the neighboring county of Chateauguay, where the proportion has increased to two-fifths. In Huntingdon, however, there has been a decline in forty years from three-quarters to three-fifths (1901); and in the Eastern Townships, counties which were eighty or ninety per cent English have passed into French control and will be entirely French in the end.

This district includes the eleven counties which lie to the east of Montreal, between the American frontier and the counties of Yamaska, Nicolet, and Lotbinière. It was first opened for settlement in the closing years of the eighteenth century, when loyalists and others were attracted by the British flag or better land; and the early settlements were reinforced by emigration

\*For the census of 1861 see Census of Canada, 1871, vol. 1.

†The census of 1891, though it appears to be fairly accurate in this case, is not usually reliable with respect to French origin. There is usually a considerable under-statement. Compare, for instance, the returns of 1881, 1891 and 1901 for Ontario.

from Great Britain and the United States.\* It must be said that some of those who now boast of loyalist descent are sprung from skedadlers, who fled from the draft during the war of 1812, debtors, forgers and thieves, who avoided defining their crimes by using the convenient phrase that they were line-bound.†

Wherever they came from, the immigrants were not French. Down to 1830 the Townships might be described as entirely English.§ Hardly a Frenchman had penetrated into this district where his language was almost unknown and where, according to M. Gailly de Taurines, "the terrible names frightened him." But in the fourth and fifth decades of the century the invaders came, impelled by a great land-hunger, for the seigneuries had grown too small. They broke into the neighboring counties, into Arthabaska, Megantic, Drummond, Wolfe and Shefford, tentatively at first, and then with an impulse which placed them finally in the majority. Townships went to bed English, one might say, and woke up in the morning French. In township after township the French became dominant, and made French instead of English the official tongue.‡ "A brighter morning," says Mr. Sellar,|| "no new country could have. How different the picture of to-day. . . . Here is a concession in which, a few years ago, in each home was heard the kindly speech of the Lowland Scot; here another where Highlanders predominated; another where Irish Catholics and Protestants dwelt together in neighborly helpful-

\*Robert Sellar, *The Tragedy of Quebec* (Toronto, 1908); C. M. Day, *History of the Eastern Townships* (Montreal, 1869); L. S. Channel, *History of Compton County* (Cookshire, 1896).

†Sellar, *op. cit.*, pp. 10 sqq.

§G. de Taurines, *La Nation canadienne* (Paris, 1890), p. 158. Onésime Reclus in *La Géographie*, 15 July, 1904, p. 26.

‡For the law as to the official use of French and English see the Quebec Municipal Code, 224 and 241-245. Generally the records of municipal councils must be kept in both languages; either may be used by those who speak at the sessions. Upon petition of any municipal council, however, an order-in-council may declare only one of languages official.

||*The Tragedy of Quebec* (Toronto, 1908). Mr. Sellar is a newspaper proprietor and has been a resident of Huntingdon for forty-five years.

ness; another where neatness and taste told of its dwellers being of New England descent. To-day approach one of those homes, and with polite gesture madam gives you to understand she does not speak English. Here is the school the first settlers erected, and which they and their successors kept open with no small denial. Draw near to it and you hear the scholars in their play calling to one another in French. The descendants of the men who cleared these fields of forest and brought them into cultivation have disappeared. The meeting-house where they met for worship stands there on a knoll, with broken windows, and boarded door, dropping to decay. The surrounding acres where they buried their dead is a mass of weeds which defy approach to read the wording on the stones that are barely discerned through the tangle of vegetation. . . . A vanished race."

In the Townships, taken as a group, the French had become a third of the population by 1851, something less than a half by 1861, something more than a half by 1881, and by 1901 two-thirds.\* Fifty years ago the English were an overwhelming majority in six of the eleven counties; in the census of 1901 they had a small majority in Brome and Stanstead. The census of 1911 will certainly reveal the loss of Stanstead, and possibly the loss of Brome; and in the end, if present tendencies continue, the soil of the Eastern Townships will pass entirely to the invader. What will happen in the towns, the commercial and industrial centres, is not so clear. So far the English merchants and manufacturers have held their own with ease.

What has brought about this movement in the Townships? Is it the superior energy of the French? The notion is preposterous to any one who is familiar with the *habitant's* routine cultivation and obstinate clinging to old practices. The explanation is two-fold:

\*The percentage of English (and by that is meant non-French) in the different counties, as compiled from the census of 1901, was: Arthabaska, 3.18; Wolfe, 8.75; Drummond, 13.18; Megantic, 20.74; Shefford, 23.41; Richmond, 39.30; Sherbrooke, 42.22; Missisquoi, 43.64; Compton, 45.35; Stanstead, 53.97; Brome, 64.78. Those using the Canadian census returns must be warned that they are made by electoral districts and not by counties.

the displacement was voluntary at first, enforced later; and it was enforced, not by any survival of the fittest, but by the activity and organization of the Roman Catholic Church.

In the beginning the English-speaking farmer left his home in the Townships because he found that he could better his position by leaving. It was not so much the pressure of the French which began the displacement as the attractions of the towns, the western prairies and the United States. Not the young men alone, but whole families emigrated and still emigrate.

Into each vacated farm a Frenchman steps. "Whenever a farm comes for sale," says Mr. Sellar,\* "by some unseen direction a Catholic buyer is brought for it." This has happened with such systematic regularity as to provoke comment in the House of Commons.† It does not appear to be the case, although frequently said to be, that the curé provides the money to purchase the farm and secures himself with a mortgage. If this sometimes does occur, it is not a general practice, as the records of the registry offices show. None the less, colonization is the work of the church. The church is the main factor in rooting the habitant to the soil and keeping him there. Her clearly developed plan, as the curé tells his flock in the country parishes, is to make the English and Protestant parts of the province Catholic and French. Colonization societies, which are established under the Act of 1869, play their part in this scheme. The diocesan societies (such as that of Sherbrooke),§ in which the clerical element predominates, give assistance to poor colonists, contribute to the cost of churches and schools, and open up new roads. They act as bureaus of information. They know of every farm which is offered for sale, and have a *habitant* ready to occupy it. The work of these societies is assisted by a government subsidy equal to a third of the annual receipts. Behind the church, in fact, stands the government. It makes generous contributions to the cause. It rewarded the

\*Op. cit., p. 139.

†Hansard, 1905, vol. ii., pp. 3039-3042.

§Report of the Minister of Colonization (Quebec, 1909), pp. 181-3.

Papal Zouaves with a block of township land. When a company controlling a large tract of land near Compton applied for an act of incorporation, the Prime Minister insisted on the condition that half of those settled upon the land should be Frenchmen.\*

In each locality the same thing happens. One by one the English families leave. One by one, usually directed by the church, the French families arrive. Finally a time comes when the English, losing their predominance, feel the pressure of the invasion. Left more and more in the minority, they find it hard, then actually impossible, to maintain a school or even the one Protestant church which may minister to Anglicans, Presbyterians and Methodists alike. The children, playing with French children, are in danger of becoming French. The migration of the English, voluntary at first, is forced upon them in the end. In many an old English centre all that remains to show the past is a ruined church and overgrown graveyard. This is no exaggeration.† But often the change has come so quietly and so gradually as to be almost unrealized while in progress.

It is not in the Eastern Townships alone that this movement is taking place. An examination of the other districts where the English were, or still are, strong, will reveal very much the same conditions. In the French counties the dislodgment has been even more rapid, because there the choice lies between flight and assimilation. Perhaps the fugitive may pause when he reaches the comparative safety of a Sorel or Three Rivers, but fly he must, or share the fate of the Highlanders of Charlevoix who are French in everything but name.

A diminishing birth-rate is another cause of the displacement. There can be no question that the birth-rate among the English element is considerably lower than among the French. While the rate for the whole province in 1902 was 34.05, the rate for the thirty-five counties which are almost entirely French was 42.21.‡

\*Sellar, op. cit., 129.

†Hansard, 1905, vol. ii., pp. 3040-3041.

‡Report of the Provincial Board of Health, 1903, pp. 64 and 70.

It is interesting to compare counties which are largely English with counties which are entirely French. Thus Huntingdon, Brome and Stanstead fall below 30, while Beauce, Kamouraska, Bellechasse, Yamaska, Matane run between 40 and 50.\* It is unnecessary to give more exact illustration of a fact which has been commented upon so frequently. But, in considering the fecundity of the French-Canadians, proper emphasis has rarely been given to the remarkably high mortality among their children. Every year, says the report of the Provincial Board of Health,† there are "from 5,000 to 6,000 infant victims of ignorance and prejudice whom intelligent care could so easily preserve for the country." "It is astonishing that the law, in accord with humanity, should be so particular with regard to the procreation and the protection of the little beings that have a right to live and should pay such light heed to the protection of their continued existence."‡ While the death rate for the province in 1901 and 1902 was 18.54 and 17.56 respectively, for the thirty-five French counties it was 23.29 and 18.34.† Even so, the French family is noticeably larger than the English. Taking at random several districts which are exclusively French, we find that in St. Bonaventure (Drummond county) the average family is 5.59; in Ste. Valère (Arthabaska) 5.64; in Chester East (Arthabaska) 5.85; in Ste. Victoire (Arthabaska) 6.02.|| In every case the average is higher than that of the Province of Prince Edward Island, which has a higher average than that of any other province of the Dominion (5.51). Taking at random several districts in which the English are particularly strong, we find in Stanstead, where the French are only 10 per cent of the population, an average of 4.20; in Bolton West and also Brome village an average of 4.40; in Sutton (Brome) an average of 4.03. Even admitting that the census, taken on the *de jure* system, probably discriminates against dis-

\*1903, pp. 65-66.

†Id., p. 83.

‡Report of the Provincial Board of Health, 1903, p. 83. The death-rate is now perceptibly diminishing through the diffusion of hygienic ideas, p. 59.

§Id., pp. 70 and 64.

||Taken from the census of 1901.

tricts where the children are inclined to emigrate, these figures are corroboration enough of the impression which prevails in the Townships themselves. A well-informed clergyman in Stanstead, discussing with the writer the success of the French invasion, said: "The main cause is a decrease in the birth-rate and the consequent decrease and ultimate extinction of many English-speaking families."

It is not hard to find a plausible explanation. The English who emigrated from the Townships and other parts of the province were the most progressive, the "fittest"; those left behind were not so well equipped to dispute possession of the soil with the hardy invaders. The fecundity of the French-Canadians is probably due to the stamina of the early settlers; to their struggle with the wilderness, which allowed only the strong to survive; and to the wives whom Colbert shipped out from France, women selected for physical vigor rather than for physical charm. Honoré Mercier's celebrated "~~baby bonus~~" appears to have done nothing more than waste provincial money and preserve for posterity the names of those whose wives bore them large families. M. Mercier was Premier of Quebec at a time when the "Exodus" to New England factory towns threatened to impair the political influence of the French-Canadians in the Dominion and to dissolve the dream of an independent French republic upon the St. Lawrence. As the "Exodus" was the result of well-defined economic conditions, the obvious corrective was the development of domestic industries and the opening up of new lands for settlement. Mercier, however, finding a precedent in Colbert's pensions to the fathers of ten and twelve children, passed through the legislature his "Twelve Children Act" of 1890.\* Under its original terms each father of twelve living children was entitled to one hundred acres of Crown lands; but the grant, being usually inaccessible, was promptly sold to a lumber company at a price which

\*53 Victoria, cap. 26. Amended by 54 Victoria, cap. 19; 55 and 56 Victoria, cap. 19; 58 Victoria, cap. 17; etc. See the Index alphabétique des familles de douze enfants vivants, vols. i.-ii. (Quebec, 1904-1906). Also The Mail and Empire (Toronto), 29 May, 1905.



averaged fifty dollars.\* Later the land was made inalienable; then a money payment of fifty dollars took its place; finally the bonus was abolished altogether. Down to the 1st July, 1905, the government received 5,413 applications for the land or money.† The list may be read with some profit. It suggests that poor people with large families cannot give the care and attention which the raising of children requires. Paul Belanger, who had 36 children, has only twelve living;§ Urbain Lord, who had 25 children, has only fourteen living.‡

The birth-rate among the English-speaking population of Quebec is small, the emigration large. The result is a failure to keep abreast of the French increase, and a relative decline which, if it has been slow, has nevertheless been steady. In the census of 1851 the English formed a quarter of the population of the province, in 1901 only a fifth. Yet it must not be supposed that this represents any absolute decline. As a matter of fact, every census except that of 1871 has disclosed a considerable progress which will appear from the following table:

English-speaking Population of Quebec.

1851 .....	220,733
1861 .....	263,951
1871 .....	261,799
1881 .....	285,207
1891 .....	302,189
1901 .....	326,783

The increase for the half-century has been 48.04 per cent (as against 97.46 per cent for the French). That is, while being supplanted on the soil, particularly in the Eastern Townships, the English have materially enlarged their numbers in the province. While decreasing absolutely in the farming districts, they have increased absolutely in the province, taken as a whole.

\*Index alphabétique des familles de douze enfants vivants, vol. i. (Quebec, 1904), p. 4; Mail and Empire, 29 May, 1905.

†Index alphabétique, vol. ii. (Quebec, 1906), p. 3.

§Id., vol. I., p. 18.

‡Id., vol. I., p. 140.

Here is a point which demands some investigation. If there has been an increase instead of a decrease in numbers and at the same time a desertion of the soil, where must we look for the new homes of these people?

Naturally we look to the towns. In the French counties the English clearly tend toward the large centres, ~~either from economic or social motives.~~ Uniformly they constitute a larger percentage in the urban than in the rural districts. Valleyfield, St. Hyacinthe, Three Rivers, Sorel, Quebec, are all more English than their counties. This is partly explained by the fact that the French, while forming the rank and file of the industrial population, still serve under English leaders. Where there are industries there must be at least a handful of Englishmen. But it follows that in the English counties industry, since it attracts French labor, tends to make the towns French. Although the English are relatively stronger in residential towns like Richmond and Waterloo, than in the counties, they are relatively much weaker in industrial towns like Sherbrooke, Magog, Coaticook and Granby. On the whole, then, they have not passed from their farms to the local towns. Even in the French counties almost every town shows a steady decline in the number of its English population. Between 1881 and 1901 the English sank in Three Rivers from 759 to 505; in Sorel from 364 to 323; in St. Hyacinthe from 232 to 170. And this is in spite of the fact that their relative strength is greater in the towns than in the country districts.

This is not all. It will be found that they have declined absolutely in almost every county in the province. In the Ottawa counties the increase of nearly 3,000 between 1881 and 1901 is exceptional, and took place entirely in the first half of the period. In the south-west the small gain shown by Chateauguay is more than counterbalanced by its neighbor Huntingdon. The Eastern Townships lost 10,000. Gaspésie also lost, though not so heavily. In those counties where they predominate or form an important minority, the English have not held their own either absolutely or relatively. This is true in the French counties also. Between the city of Quebec and the Ottawa there are

eleven counties resting on the north shore of the St. Lawrence. There the increase of the French element since 1881 has been notable indeed; the English element, small enough before, has lost 10,500.

From all parts of the province—this is the explanation—the English have been converging upon the Island of Montreal. In the twenty years preceding the census of 1901, although their increase for the province was only 41,500, they added 38,700 to the population of the city alone. To the population of the whole island, which is becoming more and more a mere suburb of the city, they added over 60,000—at the expense, of course, of other English districts. As long as conditions are unaltered this movement will continue. Only in Montreal have the English a position of apparent security and permanence. It is a curious situation. Perhaps, in defending Montreal, the English feel unconsciously that they are defending the last ditch.

If the French also are moving to Montreal, this fact must be considered in relation to the general expansion of urban life among them. As Levasseur said, there is a law of gravitation at work in the movement of population: the greater the mass, the greater the attraction. The "fatal attraction" of the cities has infected French Canada as well as the rest of America—and Europe. We are told that "the country population is disintegrating, and is moving into the towns."<sup>\*</sup> Whether it is a misfortune or not, more than a fifth of the population of the Province of Quebec lives on the Island of Montreal; and at various points cities have sprung into life like mushrooms. The progress will appear from these figures:†

	1871	1901
Hull .....	3,800	13,993
Sherbrooke .....	4,432	11,765
Valleyfield .....	1,800	11,055
St. Hyacinthe .....	3,746	9,210

The Island of Montreal gained in twenty years 55 per cent of the total gain of the province. Taking the two last census reports, we find that, while the

<sup>\*</sup>Report of the Provincial Board of Health, 1903, p. 56.

<sup>†</sup>Canada Year Book, 1909, pp. 15-16.

urban population of Ontario increased from 38.73 per cent of 42.87, that of Quebec increased from 33.57 per cent to 39.79. The leading men in Quebec realize that a revolution is in progress, a revolution which will bring the French-Canadians to a great crisis in the fortunes of their nationality. City life carries with it social and economic forces which are not unlikely to override hampering religious and nationalistic sentiment. Few will be likely to deny that the struggle to preserve their nationality has made the French-Canadians look back to a past rather than forward to a future, has isolated them from the currents of modern life, closed to them the revelations of modern science and the solace of modern literature, and through the dominance of the Roman Catholic Church robbed them of real liberty of opinion. Half a century ago Goldwin Smith described them—and not altogether inaptly—as antediluvian relics of the old régime who have retained all the inertia and bigotry without being literally of any value for the ends which modern civilization has set before it. What will happen to this little, backward people when, surrounded by a great English-speaking population, they enter really into the stress of industrial life, with all that its fierce competition and enforced contact with others entails? Will they give up their language for English? Will they read the scientists and philosophers and novelists of the day, and laugh at the Index and excommunications?

While the population has been moving into the cities or out of the province, Quebec has been unable to settle either her northern hinterland or Gaspésie and Matapédia. Of all the eastern provinces she has the least density of population: 4.8 persons to the square mile, as against 9.9 for Ontario, 11.8 for New Brunswick, 22.3 for Prince Edward Island, and 51.6 for Nova Scotia.\* Settlement is a pressing question. It is not a thing which interests the English very much. If we may judge by the tone of the colonization congress which met in St. Jérôme in 1905, the government wishes to introduce only men of French blood, speaking the French language and practising the Roman religion. But to the French it is a pressing question. In the

\*Statistical Year Book, 1904, p. 65.

northern wilderness, inaccessible as yet, there is a belt of rich arable land. It is conceivable that when the fertile and treeless prairies are more or less occupied, emigration will direct itself to the Abitibi region or elsewhere along the line of the Grand Trunk Pacific. If Quebec does not occupy these lands, she will find herself walled in on the fourth side, and, instead of driving in the English outposts as at present, she will be endangered by a formidable counter-invasion. Perhaps this was in the mind of Archbishop Bruchési at the colonization congress. "Colonization," he said, "is a sacred work, a work in which both religion and country are concerned, its object being to extend the reign of God and develop the Motherland."<sup>\*</sup>

This sacred and patriotic work appeals to the private citizen and the church, as well as to the provincial department of colonization. In fact, the first impulse towards the evolution of a colonization policy came from a curé of the church, the man who is revered to-day as the "Apostle of the North."

Towards the middle of the last century an embarrassing dilemma faced French Canada: the necessity of finding new lands for a redundant population, the difficulty of getting to them. There were no roads, because there was no colonization policy. The settler had to cling to the rivers or lose touch with the markets, the parish school and the parish church. Already the "Exodus" to the United States had begun, threatening both the religion and the nationality of the emigrants. It was at this crisis that the famous Curé Labelle, the first to grasp the needs of the province, came forward with his programme. Settlement by parishes was his plan; settlement, too, in which the locomotive should precede the colonist, as had been the case latterly in the United States. Twenty-five years ago he traced the line of the Grand Trunk Pacific.<sup>†</sup> He proclaimed from the pulpit that settlement was a sacred duty. "There are many ways of offending God," he said. "The most common and the most grave is the failure to take advantage of the resources

<sup>\*</sup>Montreal Daily Witness, 23 November, 1905.

<sup>†</sup>See address of Minister of Colonization, La Patrie (Montreal), 21 November, 1905.

which providence has placed at our disposition." In his view, as in the view of many others, Quebec was destined to achieve her independence and bear the torch of French civilization in America; and to fulfil her destiny she, like old France, must have her people rooted in the soil. *Pater meus agricola* was the device which he placed under his coat of arms; *Emparons-nous du sol*, the watchword which he gave to the people. His wish was that the ribbon of families along the St. Lawrence should extend on all sides, occupying Gaspésie, Matapédia, etc., to the south, and, to the north, the great hinterland between Lakes Abitibi and St. John. He founded forty-five parishes and died at his task, Deputy Minister of Colonization in the Mercier Government.† Before his death the Pope recognized his services by naming him ecclesiastical prelate. To-day a county bears his name, and a monument has risen in his native parish, St. Jérôme.§

Labelle has had many disciples. There has been an "Apostle of the Saguenay"‡ as well as an "Apostle of the North." Abbé Paradis has colonized many a parish in New Ontario. Abbé Cramillon has founded an orphanage at Paspébiac, a farm of three or four hundred acres where young boys from France will pass through a training of ten or twelve years and become efficient colonists in Gaspé and Bonaventure.¶ Whether it is for the work of the individual curé,\* or of the orders which have established experimental farms,† or of the diocesan colonization societies already referred to, the French-Canadians owe a great debt of gratitude to the church on this one count alone—and will owe more.

\*G. de Taurine, *La Nation canadienne*, p. 120.

†See Langelier, *Souvenirs politiques* (Quebec, 1909), pp. 309-311.

§For a sketch of Labelle's career see Testard de Montigny *La Colonization* (Montreal, 1898), pp. 64-70.

‡Huard, *L'Apôtre du Saguenay*, Mgr. Jean Racine (Quebec, 1895).

¶*La Patrie* (Montreal), 24 October, 1905.

\*There are numerous societies organized and directed by the clergy in Témiscamingue and elsewhere. See *Action Sociale*, 9 April, 1910.

†Report on Immigration, 1904, p. 66.

Colonization societies are not limited to the church, however. The most important societies, like those of Montreal and Lake St. John, are entirely lay bodies. The former, "The General Colonization and Repatriation Society," is a purely patriotic organization which is enabled, by its membership fees and by appropriations from Ottawa and Quebec, to carry on a propaganda in France, Belgium and New England. At its bureau in Montreal emigrants are supplied with exact information respecting all colonization districts. The Lake St. John Society confines its attention to the one district. Founded in 1898, it has acquired a membership of more than 1,800, directed more than 20,000 settlers to Lake St. John, and founded a new parish almost every year.\*

The government, it must be said, has failed to do its part efficiently. The mismanagement of the Crown lands has been notorious, the permanent interests of the province having been sacrificed to the necessities of the moment, and large areas of land handed over to all-powerful timber magnates and withdrawn from settlement. Extravagance and mismanagement—not to put it in a worse light, have given the province a heavy financial burden. As almost a third of the revenues goes to meet the charges of the debt, there is little left for the pressing demands of the Minister of Colonization. This lack of funds means a lack of colonization roads, a marked inferiority as compared with Ontario; and for the same and other reasons the inferiority is equally marked in the matter of railway communications. Quebec has a mileage of 3,662; Ontario, 8,229.† Railway construction has languished for some time and will continue to languish, because the people and their government are resolved upon economy. There is a feeling, also, that the work belongs to the Federal Government, whose revenues profit by immigration and settlement.

The settlers must be French; and for that reason they come chiefly from the overcrowded parts of Quebec. There is no great response to the propaganda either in Europe or the United States.

\*Senator Tessier in *Le Soleil* (Quebec), 23 November, 1905.

†Canada Year Book, 1909, p. 327.

Naturally New France looks to the old for colonists. It is life that the French nationality is fighting for in Quebec; and where, if not on the banks of the Seine and the Loire, is assistance to be found? But under the Third Republic, with a stationary population, France is not ready to depopulate her provinces in order to people Quebec. The situation has something almost pathetic about it. The peasants whom the failing military power of France could not protect in the eighteenth century have multiplied and stood true to their race and traditions, only to find that France, with her decadent birth-rate and altered ideals, can give no help in the peaceful, but more dangerous struggle of to-day. According to the last census there were only 7,944 French emigrants in all Canada;\* 3,183 in Quebec;† figures which show how little attraction Quebec has for the French emigrant. But who could doubt the future of the French nationality and language in Quebec if France were sending every year 20,000 or 30,000 settlers?

France never gave many colonists to Canada. Everyone knows how slow was the growth of the French beside that of the English colonies. At the time of the cession some 65,000 Frenchmen were living on the St. Lawrence,‡ while the thirteen colonies could boast a white population of at least 1,400,000.† Louis XIV., whose interests lay on the continent of Europe, had discouraged the importunities of the Intendant Talon. "It would be difficult," wrote his minister, "to maintain great armies and at the same time send great colonies to distant countries. You must base the increase of the colony on the increase of marriages in proportion as the colonists increase."|| In fact, France gave Canada only 4,894 colonists down to 1700,\* and only some 6,000 throughout the whole century and a

\*Canada Year Book, 1909, p. 2.

†Id., p. 10.

‡For censu. of 1765 see Census of 1871, vol. iv.

§Bancroft, vol. iii., chap. 6, pp. 90-91.

||Parkman, Old Régime, p. 417.

\*S. A. Lortie, De l'Origine des Canadiens-français, in Bulletin du Parlor Français au Canada, II., p. 18. Professor Lortie studies here the strength of Norman, Breton and other strains in the population. Out of 1093 immigrants in the years 1660-1680 481 came from Normandy.



half of the old régime.\* In the English régime the emigration began only some sixty or sixty-five years ago; for the attempt of Count Puisaye, in 1798, to found a colony of emigrés near Toronto was an isolated enterprise, due to exceptional circumstances.† The American Revolution, the revolutionary and Napoleonic wars discouraged intercourse with France. It was not until Papineau had raised the standard of rebellion and Garneau had written his history that Parisian papers began to talk of Quebec.§ Even by 1851 there were only 359 French settlers in the province; and the effort which was made to draw settlers from Alsace and Lorraine after the Franco-Prussian war met with little success, some 1,500 coming over during the seventies.‡ One may say that the emigration from France has been of no importance at all until the present century and that even now its proportions remain very small and give no great promise for the future.

There are reasons why Quebec is likely to get few of the 90,000 or so emigrants who leave France every year. To some extent the church intervenes, demanding, in its fear of French anti-clericalism, a very careful selection. And most Frenchmen, having changed since the Middle Age, would not willingly submit to the pretensions of the clergy. They are not accustomed to the collection of the tithe, to the censoring of Bernstein's plays, or to the substitution of a very ultramontane catechism for more useful studies in the schools. There is also a mutual failure of sympathy between the Frenchman of the old world and the Frenchman of the new, not resting on religion alone, but on a general difference of conceptions and ideals. In view of these difficulties and certain economic considerations, Quebec is not likely at any time to attract annually more than three or four thousand emigrants from France and Belgium.

\*Lortie, *L'Origine et le Parler des Canadiens-français*, Paris, 1903.

†Bulletin des Recherches historiques, 1897, pp. 146-148.

§Ab der Halden, *Études de Littérature canadienne-française* (Paris, 1904), pp. 7-11.

‡Davidson, *The Growth of the French Race in America*, in *Annals of the American Academy of Political and Social Science*, September, 1896, p. 10.

As will be seen later, the effort to repatriate French-Canadians and descendants of French-Canadians living in the United States promises little better. On the whole, Quebec can expect little from immigration. Her chief anxiety must be to make the province prosperous, open her unoccupied lands for settlement, and thus keep to herself the natural increase of her population, which exceeds 35,000 a year.\*

### Section 2.—The Exodus to New England.

In the year 1905 M. Dominique Monet made a speech at Crescent Park, Rhode Island. He is a man of some importance in Quebec, for twelve years a member of the Dominion Parliament, and afterwards a member of the Parent Cabinet. He spoke in French to ten thousand French-Canadians. "Will we always be an English colony?" he asked.† "Certainly not. For in fifty years the population of Canada will be twice as great as that of the majority of independent states in Europe. Will we be annexed to the United States, or will we take our place among the independent nations of the world? . . . If it is independence which comes, instead of annexation, we shall try to exchange with the Washington Government our western provinces for the half French-Canadian states of New England."

This was, of course, the rodomontade of a politician, highly amusing to Boston or Toronto. But Crescent Park took M. Monet seriously enough; and that such a speech could be delivered in the heart of New England and received with applause by ten thousand French-Canadians offers a strange contrast to the predictions which once used to be made as to the future of the French in Canada. How different from the pessimistic forecast made by Montcalm three weeks before his last battle. "Canada once taken by the English," he wrote, "a few years would suffice to make it English. . . . I am so certain of what I write that I will not give ten years from the conquest

\*For the estimated annual rate of increase see below, p. 55.

†*La Patrie* (Montreal), 31 July, 1905.

before it is accomplished."\* Sheltered behind a national organization which has called to its service religion, education, language, literature and national societies, and which is informed everywhere with a deep consciousness of race, the French-Canadians have not only resisted assimilation in Quebec, but have also established themselves south of the international line, where they numbered in 1901 something like a million and a half. This off-shoot of the nation, though widely scattered and largely merged with the English-speaking American population, has shown a remarkable tendency to survive and remain unassimilated in New England, where it is strongest.

During the past sixty years and more there has been a flow of emigration to the United States, varying in importance, but becoming so notable in the eighties and early nineties as to be called generally "the Exodus."† The movement was economic. Quebec, though larger than France or any State in the Union except Texas, is not well dowered with fertile lands. Her vast hinterland, aside from the clay-belt whose extremities have now been opened to settlement, has been described, though with some exaggeration, as belonging to the subarctic desert of rock, musk-ox and jack-pine. The growth of population, the continual subdivision of farms among the children, and the exhaustion of the soil by overcropping forced the *habitants* to seek new homes or supplement their incomes. They crossed the Ottawa River, occupied the eastern counties of Ontario, and made their way along the line of the Canadian Pacific Railway when it was built. They moved southwards, clearing homesteads where the forests stood, disputing possession of the Eastern Townships with the English, and even taking advantage of the demand for labor in the manufac-

\*Montcalm to Molé, 24 August, 1759. Given in Doughty and Parmelee, *Siege of Quebec*, vol. II., p. 287.

†On this subject see : E. Hamon, *Les Canadiens-français de la Nouvelle Angleterre* (Quebec, 1891); Edmond de Nevers, *L'Avenir du peuple canadiens-français* (Paris, 1893); Edward Farrer, *New England Influences in French Canada*, Forum, March, 1897, pp. 308-320; and particularly Téléphore Saint-Pierre, *La Marche ascendante de notre race*, in *Annales de la société de St. Jean-Baptiste* (Quebec, 1903), pp. 441-469.

turing towns of New England. It was about 1880 that the rush to New England began. Some went with the intention of settling permanently. Others, known as "the swallows," sought only winter employment, and, returning with their wages, infected their neighbors with what became known as the "United States fever." And soon the swallows came back no more.

To the church the thing seemed a calamity. It meant the depopulation of Quebec, disaster for the Catholic Church and the French nationality. It was feared that the French-Canadians would abandon their religion and their language. Priests went about asking each other in whispers what was to become of the race. But when they found that the movement could not be stopped, that economic pressure was stronger than argument and sentimental ties, they did what they could to mitigate the undesirable effects. They bent their energies to the founding of parish churches and schools among the French communities.\* They became active in gathering recruits for the numerous patriotic societies. They encouraged the growth of a local French press. They sought to strengthen the ties which bound the French of New England to the French of Quebec. That those ties are strong will be seen from the fact that such papers as *La Presse* and *La Patrie*, of Montreal, or *Le Soleil* and *L'Action Sociale*, of Quebec, have a large circulation in Lowell, Woonsocket and other places where the French communities are strong. North or south of the forty-fifth parallel, the French-Canadians are still one people.

What will be the future in New England? This is not a question to be dismissed contemptuously, with some reference to the "melting-pot." The French-Canadians are not in a position that can be compared properly with that of the Germans or the Italians or the Jews. They spring from a country, not three or four thousand miles away, but contiguous to New England and geographically one with it. They crossed the imaginary boundary into Vermont and

\*There are almost 300 parish schools maintained in New England by men who have to contribute to the maintenance of the public schools as well. See *Action Sociale* (Quebec), 30 December, 1907.

New Hampshire in the same expansive movement which led them to cross the Ottawa into Ontario and the Restigouche into New Brunswick. They feel that they belong to the soil, because their blood, undiluted by that of the hybrid people around them, is the same which was shed by Daulac and many another national hero. Pride of race, love of country is reflected in all their literature; and they have used the church and national societies to save them from assimilation. It should be remarked that, in spite of superficial appearances, religion is quite subordinate to racial feeling, being in fact an instrument in its service. That there is no great danger of assimilation through contact with Irish Catholics must be manifest from the bitter feeling so often displayed between these co-religionists in New England, as well as in Montreal. Father Hamon gives an interesting account of the "furious contests" with the Irish.\* The position of the emigrants in the early days was "painful and full of danger."† While the Irish were in control, half of them never entered a church.§ In 1870 it was decided in principle that, when numerous enough, they should have separate parishes served by priests who could speak French; and having obtained this much, they next demanded and, after a stormy agitation, secured priests of their own race.‡ When the Congress of Baltimore (1889) condemned national societies as such, and declared that there was no place in the church for them, the answer was significant. "He would be unworthy of the name of Canadian and of French," said *L'Indépendance*, of Fall River, "who would accept without murmur the yoke of such a despotism."||

The real danger of assimilation lies in the fact that the emigrants have settled, not upon farms where their isolation would have made home life the chief thing, but in the factory towns where they are surrounded by English influences and prompted by the hope of economic advantage to use the dominant lan-

\**Les Canadiens-français de la Nouvelle Angleterre* (Quebec, 1891).

†*Id.*, p. 55.

§*Id.*, p. 61.

‡*Id.*, p. 62.

||22 November, 1889.

guage and to mingle with their neighbors. The new intellectual atmosphere they enter acts upon them in various ways. Not least important are its effects upon their dogmatic views of theology and of the many other things which their church insists upon deciding for them.

It is impossible to determine the French-Canadian population of the United States accurately. In Canada the census returns attempt to give the origin of the whole population. There are no Canadians pure and simple; all must be of Irish, German, French or some other origin. In the American returns, on the other hand, no account is taken of origin after the first generation born upon American soil. Therefore, since 1890, when the distinction was first made between French-Canadians and Anglo-Canadians, it has been possible to discover how many French-Canadian immigrants there are in the United States, and how many children of immigrants; but it has been impossible to go any further. The full number of persons of French-Canadian origin cannot be obtained from the American

**FOOTNOTES.**

Such being the case, on what basis can an estimate be made? MM. Fournier and Saint-Pierre have relied on parish enrolments, the former entirely, the latter partially.\* M. Fournier, after visiting most of the French centres in New England, fixes the population there at 550,000 in 1905. This falls short, by just 150,000, of M. Saint-Pierre's estimate for 1901; and would be hard to reconcile with the census returns of 1900 which give the number of French-Canadian immigrants and children of immigrants in New England as 522,362. M. Saint-Pierre proceeds along safe lines. For example, the census, ignoring the second and third generations, gives Worcester (Mass.) a French-Canadian population of 12,528; and the parish enrolments, ignoring those who have drifted away from the

\*J. Fournier, *Chez les Franco-Américains*. A series of articles in *Le Canada* (Montreal), November and December, 1905, and January, 1906. Guarded regarding the church and clerical schools, but safe. Best account of existing conditions. *Téléphone Saint-Pierre*, op. cit.

church, give a population twenty-five per cent. larger. It is obvious that in the case of other colonies the census is nearer to or farther from the truth according to the existence or non-existence of a second and third generation. A rectification of the census on that principle, a laborious and rather uncertain undertaking, gives New England 700,000; the whole United States 1,228,000. The following table will be useful:

	Total Pop.	French-Canadian Pop.		%
		St. Pierre	Census	
Maine .....	694,466	85,000	51,682	12.0
New Hampshire.	411,588	95,000	73,359	23.0
Vermont .....	343,641	70,000	40,007	20.0
Massachusetts ..	2,805,346	310,000	244,586	11.0
Rhode Island ..	428,556	80,000	55,000	13.6
Connecticut ....	908,420	60,000	56,867	6.6
New England...	5,592,017	700,000	522,362	12.5

M. Saint Pierre acknowledges that his figures err on the side of understatement. "Statistics having established that our population doubles itself every twenty-seven years,"\* he says, the French-Canadians in the United States ought to number 1,700,000, instead of a million and a quarter. His figures, in fact, represent not the full number of French-Canadians, but only those who have remained true to the church.

It is possible to make an estimate in still another way. Given the full French-Canadian population at any two dates which are sufficiently distant from one another, the annual rate of increase may be determined. The next step is to discover, by the use of that rate, what the full population in both Canada and the United States was in 1901. The number in the United States may be obtained by subtracting from the total the 1,649,371 given in the Canadian census returns.

In 1765 the French-Canadians (including the Aca-

\*The statistics are probably those of the late Prof. Davidson and are incorrect. See his article in *Annals of the Amer. Acad.*, September, 1896, p. 10.

dians) numbered about 80,000; in 1851 about 815,000.\* The rate of increase between these two dates, therefore, was considerably over 2.7; and the French-Canadians should have reached a strength of over three millions by 1901. In other words, the French-Canadian population of the United States stood somewhere between 1,300,000 and 1,500,000. It will be seen that these figures, including all the descendants of those who settled in the United States, whether now assimilated by the English-speaking population or not, corresponds pretty well with the estimate of M. Saint Pierre, made upon quite a different basis. A great number, of course, scattered over the country in little groups, have lost their language and intermarried with the people around them. In New England alone is there still some chance of their persistence as a separate nationality; and in Quebec expectation of such a persistence is not generally entertained.

Although recent inquiries into the circumstances of the French communities in New England have shown that their case is by no means hopeless,† they are deeply affected by the fact that little new blood is coming from the North. The "Exodus," having

\*Population of Canada in 1765 (including a few hundred English), 69,810; Acadians estimated at 10,150 (but depleted by a terrible mortality in the following years). See Census of 1871, vol. i., pp. xxviii. and 65. We may take 80,000 as excluding the English and including the settlement on the Canadian side of the Detroit which was not reckoned in the census. The settlement in Michigan is ignored at both dates, because its strength cannot be determined closely. In 1851 (Census of 1871, vol. iv.) the French numbered 695,945 in the Canadas and 60,726 in the Maritime Provinces. In addition there were many in the United States, the "Exodus" having begun before the middle of the century. According to the census of 1850 there were 147,711 Canadian-born persons in the United States. Relying on the evidence of contemporary newspapers, which indicate that the emigration from Quebec was proportionately larger than from Ontario, and on the fact that the French formed a third of the whole population of Canada and were almost equal to the English population born there, the number of French-Canadian settlers and children born to them on American soil must have been at least 60,000.

†Fournier, op. cit.; Prosper Bender, *A New France in New England*, Quebec Telegraph, 12, 19 and 26 September; 3 and 10 October, 1908.



been due to economic conditions, has dwindled away with the disappearance of those conditions.\* The industrial centres of Quebec are now offering the same market for labor as was found in New England towns at an earlier time. The colonization system, though still defective, has been improved; new lands, such as those of Témiscamingue, are attracting settlers from overcrowded districts. Quebec is now bent on repatriation. If the cause of the "Exodus" is gone, will not the emigrants return? Some of them are returning. Between eight and ten thousand, according to departmental reports, are repatriated by the Rutland Railway every year.† But as Archbishop Bruchési has said, in spite of all the efforts which are being made, "the Canadians in the United States are not returning, and will not return to this country in large numbers."‡ It is not merely because their leaders, especially the priests, wish to preserve the French communities which they have formed with so much difficulty. While remaining French and regarding their old home with great affection, the emigrants have become permanently established. Their children, born in the new country, keep them there; and their age discourages them from moving into the forests of Quebec and starting life afresh. The children, on their part, having social and economic ties, do not feel that they are exiles at all; nor would they take kindly to the life of the frontier colonist. "Many of our compatriots in the United States," says Abbé Bérubé, "cannot return; others have already lost their character. They are Americans who would no longer be desirable as recruits. . . . Bitter acknowledgment! Of the million and a half French-Canadians a good half are already lost to our nationality."‡

\*Le Soleil (Quebec), 28 August, 1908; Reports of the Colonization Congress in La Patrie (Montreal), 23 November, 1905.

†Report of the Minister of Colonization, 1907, p. 142; 1908, p. 138; 1909, p. 200. See also the address of Gustave Boyer, M.P., at the Colonization Congress of 1905, in La Patrie (Montreal), 30 November, 1905.

‡La Patrie (Montreal), 23 November, 1905.

§Le Soleil (Quebec). 28 August, 1908.

**Section 3.—The Invasion of Ontario.**

Although the French population of Ontario is not half as large as the English population of Quebec, it has, unlike the latter, made a steady relative progress. In the elections of 1905 five French members were returned to the Legislature, one of them being the first French-Canadian to hold a portfolio in an Ontario Cabinet. In the elections of 1908 four were returned (one being a Cabinet Minister), and four defeated. This illustrates how important the invasion is becoming. The French have increased from 26,417 (or 2.77%) in 1851 to 158,674 (or 7.26%) in 1901. They have not dissipated their strength. Without making any effort to penetrate into the heart of the province, they have taken possession of the extremities and, increasing there, have not only preserved their character and institutions, but made their influence felt in political life. They are found in three different parts of the province: in the Essex peninsula, in the Ottawa counties, and along the line of the C. P. R. from Mat-tawa to Port Arthur.

The story of the French settlement on the Essex peninsula goes back to the eighteenth century. It was then that the famous Cadillac founded Detroit. As early as 1701, while the English had not yet felt their way beyond the Alleghanies, Canada gave birth to this settlement, the colony of a colony, five hundred miles away. Its foundation was part of a great imperial project—French domination in Western America; and Detroit at the centre was to support the lines of communication down the great lakes and the St. Lawrence to Quebec and down the Ohio and Mississippi to Louisiana. The continuous history of the settlement has been written by M. Télesphore Saint-Pierre.\* Here it will be enough to mention that, encouraged by the Canadian government, Detroit made good head-way, so that at the close of the French period the population on both sides of the river amounted to about two thousand.†

\**Histoire des Canadiens-français du Michigan et du comté d'Essex, Ontario* (Montreal, 1895).

†*Histoire des Canadiens-français*, p. 174.

It may be noted that Michigan, forming part of the United States at the close of the Revolution, became a state in 1837. Since the French constituted an important element of the population, they contended for separate schools. They were unsuccessful, for though a committee of the Senate approved the principle, no action was taken. The French had to content themselves with the public schools.\* Before the large English immigration their importance rapidly declined: by 1840 they were only seven per cent.,† by 1850 only five per cent;‡ and the French members disappeared from the legislature. Only the agricultural population has withstood assimilation. Although help has come from Quebec in the shape of immigration which took on large proportions after 1850, the French must be less than six per cent. of the population to-day; and especially in the interior of the state, where the groups are too small to organize properly for resistance, assimilation is making French origin meaningless.

The four Ontario counties which lie opposite to Michigan—Essex, Kent, Lambton and Huron—have French populations of varying importance. Their importance varies according to their distance from the seats of eighteenth century settlement. Thus, according to the census of 1901, the French in Essex number 17,254, or 29.5 per cent; in Kent, 4,909, or 8.5 per cent; in Lambton, 1,217, or 2.1 per cent; in Huron, 1,076, or 1.7 per cent; and in Middlesex and Elgin, lying west of Kent and Lambton, less still. In Essex alone are the French strong, and even there the census returns show a continuous relative decline since 1851, and only a very slow absolute increase since 1881. This will appear from the following table:

French in Essex County.

1851 .....	5,424 or 32%
1871 .....	10,539 or 32%
1881 .....	14,658 or 31%
1901 .....	17,254 or 29%

\*Id., p. 217.

†Id., p. 217.

‡Id., p. 219.

The emigration from Quebec has ceased; at least that is the necessary deduction from a comparison of the number of Quebec-born persons given for these counties by the census returns of 1881 and 1901. But without assistance from Quebec the increase since 1881 should have been ten thousand instead of 2,600, the average rate of natural increase among the French-Canadians being over 2.7. Under such circumstances the outlook for the French nationality in Essex is gloomy. Unassisted by immigration, and evidently weakened by emigration, there is no way of making good the defection of those who are passing over to the English camp.

In the eastern counties of Ontario, especially along the Ottawa River, the French occupy a much stronger position, and give promise of steady progress in the future. Their presence is due to an entirely natural movement, a westward expansion of the nationality, impeded by no geographical barriers, into adjacent territory; and it is precisely in this fact that the strength and promise of these settlements lie. Geographical contiguity with Quebec carries with it advantages which political separation cannot impair. The counties of Prescott and Russell are not like the French in Essex, mere isolated and detached fragments; they are the end of a wedge which is being driven into eastern Ontario with all the weight of Quebec behind it. What advance the wedge has made in half a century will appear from these figures: the percentage of French has increased in Prescott from 33 to 71; in Russell from 24 to 68; in Carleton from 9 to 26; in Glengarry from 9 to 33; in Stormont from 5 to 26.

It remains to notice New Ontario. The settlement of this territory, which stretches from the Upper Ottawa to Manitoba, has practically just begun. Fifty years ago it was an unopened wilderness, two thousand miles long, with some 7,000 settlers or traders scattered over it. It continued much the same until the C. P. R. was built. Then population came with a rush. By 1891 it had reached 55,000; ten years later it had doubled.

From the first the French have formed a considerable part of the total: more than a sixth in 1861, something under a seventh in 1891 when the population was

eight times as large; almost a fifth in 1901; and to-day, owing to the work of the priests and of the colonization department of the railway, the proportion can hardly be less. It should be remarked that nearly three-fourths of the French are found in Nipissing where they were almost 45 per cent of the population in 1901. This concentration near the frontier of their native province means much for the future. It means that, while making a steady relative increase, they are likely to remain French. The outlook is not so good in Algoma, Thunder Bay and Rainy River.

#### Section 4.—The Acadian Revival.\*

In each of the Maritime Provinces the French are found in some strength. These are the Acadians. They speak a dialect which is not that of Quebec.† Their patron is not Saint Jean Baptiste, nor is their

\*On this subject see: H. R. Casgrain, *Un Pèlerinage au Pays d'Évangéline* (Quebec, 1887), and *Une Seconde Acadie* (Quebec, 1894); Camille Dérout, *La Renaissance de la nationalité française en Acadie* (*Le Correspondant*, 10 September, 1899; James Hannay, *Acadia and the Acadian People* (in *Hopkins' Canada*, an *Encyclopedia of the Country*, Toronto, 1898); and especially Pascal Poirier, *Le Père Lefebvre et L'Acadie* (Montreal, 1898), and Gailly de Tourines, *La Nation canadienne* (Paris, 1894), Chapter XVII.

†The Acadian language has been described and differentiated from that of the French-Canadians by Senator Pascal Poirier in *La Langue acadienne* (*Transactions of R. S. C.*, vol. iii., 1884), and in *Le Père Lefebvre et L'Acadie* (Montreal, 1898), p. 159. See also examples of the dialect in Faucher de Saint Maurice, *De Tribord à Babord* (Montreal, 1877), p. 278. For the French-Canadian language see: Geddes and Binard, *Bibliographie du parler canadien-français* (Paris, 1906). Says Gailly de Taurines (*La Nation canadienne*, Paris, 1894, p. 245): "The popular Canadian language differs very little from the popular language of France, and neither is sensibly different from the popular language of the seventeenth century; what has changed in two centuries is the literary and scientific language." Benjamin Sulte and other competent writers hold the same view. Efforts are being made to eliminate "anglicisms," which are naturally more numerous in Canada than in France.

national holiday the twenty-fourth of June.\* Viewed from the standpoint of origin and history, as well as from that of their present condition, they must be distinguished from the French of the neighboring province. While the latter are mainly of Norman or Breton extraction, the Acadians appear to have come from a limited district on the west coast of France, corresponding roughly with the departments of Vendée and Charente Inférieure.† Moreover, geography and the fortunes of war determined that Acadie should live its life very much apart from Canada, that it should have a history distinctively its own. The great calamity of the expulsion, incomparably the most important fact in the annals of the Acadian people, and the fact that has made their race known to the world—what place does it hold in the annals of Quebec? What place do the heroic figures of early Acadian days hold in Quebec's pantheon of national leaders? Or, to come nearer to our own generation, what interest do the *habitants* of Gloucester and Digby take in the names of Lafontaine or Cartier, Chapleau or Mercier? And yet, real as these distinctions are, there is one circumstance which tends to obliterate them: the necessity of co-operation to preserve the common French nationality. In the last quarter of a century much has been done to allay jealousies and misunderstandings and to accentuate the idea of racial unity. If occasion should demand a shoulder to shoulder fight, no difference which exists to-day would be strong enough to prevent it.‡

\*See Chouinard, *Annales de la Société de Saint Jean Baptiste* (Quebec, 1902), and Poirier, *Le Père Lefebvre*, 217 sqq. The Acadians accepted the same patron saint and national holiday as the French-Canadians from 1867 to 1881, when the convention at Memramcook changed to the festival of the Assumption of the Virgin Mary, 15th August. Two years later they chose as their national flag "the glorious tricolor, with Mary's star in the blue," and its adoption was hailed with the strains of the Marseillaise (Poirier, p. 220).

†Benjamin Sulte, *The Origin of the French-Canadians* (Hopkins' Canada, vol. i., pp. 47-48), and same title in *Transactions of R. S. C.* (2nd series, vol. ii., sec. 2, pp. 99-119); also Hannay, *op. cit.*

‡See proceedings of the Sixth National Congress in Action Sociale (Quebec), 25 August, 1908.

History records few things more remarkable than the renaissance of the Acadians. Senator Poirier, himself an Acadian, is astonished that they still exist. "The race should have perished in 1755," he says. "when their houses and churches were burned before their eyes, their herds and harvests confiscated to the profit of the spoliators, their lands and market-gardens given to their enemies." In fact, the century following the dispersion was "a prolonged agony." Many of the peasants, who had been driven from their farms and scattered over the continent from Louisiana to Quebec, found their way home again, and, in spite of proscriptions, evictions and the most wretched poverty, fixed themselves on the soil. For a century they were lost to view, a century of utter isolation. They passed through hardships and sufferings which have given a stolid and undemonstrative tinge to a temperament originally gay and vivacious. But in these dark days a helping hand was extended to them. The late Abbé Casgrain spoke with some truth when he called the Roman Catholic Church the founder of the Acadian nationality; for it was the church which succored the nationality and gave it organization.

In the eighteenth century and the early part of the nineteenth the Maritime Provinces lay in the diocese of Quebec, a diocese which stretched from Detroit to Halifax. The Acadians, in their extreme poverty, were dependent on the bishop for the support of the priests whom he sent among them; while the bishop, on his part, could not command resources sufficient to serve his large diocese adequately. These facts, taken in connection with the hostile attitude of the government to the presence of priests in the eastern colonies, will explain the situation in which the Acadians found themselves. In 1770 they were dependent on the services of a single priest who had to cover the whole country between Cacouna and Prince Edward Island. Twenty years later there were only two travelling missionaries.

A change came with the French Revolution. Not only did the breach between the French Assembly and the church modify the hostility of the English Government to the introduction of priests; it furnished the priests themselves. Exiles came to save the remnants

of this exiled people. Numerous refugees made their way to the humble mission field, sometimes men of family and social position like the Abbé Calonne who was the brother of Louis XVI.'s Controller-General of Finance. They devoted their lives to the simple, ignorant peasants. The seed fell upon good ground; when the last of these priests died in 1844, the Acadians could count on the future. Within the next quarter of a century Father Lefebvre, an energetic and eloquent Canadian, founded St. Joseph's College at Memramcook, and from there sent out trained men to complete the work of regeneration.

Until then the strength of the Acadians was unsuspected outside their own country. It was unknown to Longfellow when he wrote his "Evangeline"; for we are told that

"Only along the shore of the mournful and mystic  
Atlantic

"Linger a few Acadian peasants."

And in the prologue to his "Jacques et Marie," twenty years later, the elder Bourassa mourned that providence had allowed the Acadians to disappear. Such seems to have been the general impression in the middle of the century. The revelation of their real situation has been compared to the discovery of some ancient city brought to light by the excavations of archaeologists.

Look back upon their circumstances in the years which followed the expulsion. The Acadians were, in the somewhat bitter language of *La Presse*,\* "a race which the oppressor believed that he had destroyed forever." Who would have prophesied their survival as a French-speaking people at a time when the French in Quebec, in spite of the devotion of their clergy and undisputed possession of their farms, were not expected to survive? Who would have supposed that at the beginning of the twentieth century they would number 130,000 in the Maritime Provinces, and perhaps 100,000 in the United States?† And progress has not

\*18 August, 1905.

†Saint-Pierre, *La Marche ascendante de notre race*, in *Annales de la société*, etc. (Quebec, 1903), pp. 441-469.



been in numbers alone. In the public schools the Acadian children now receive French instruction, and in actual practice enjoy privileges which render any agitation for separate schools almost superfluous.\* As regards higher education Ste. Anne's College at Church Point, N.S., and the University of St. Joseph's College at Memramcook, N.B., can point to not a few graduates who have distinguished themselves in law, medicine, literature and politics. There are men like Senator Poirier, Judge Landry and Mgr. Richard, whose work has been for their race and not for themselves alone. Although the Acadians have hardly reached a position of equality with their English neighbors, they have gone far, and their leaders know how to direct them farther.

On the national holiday—the 15th August—a congress is held periodically, attended by Acadians from New England and from Canada; and national questions are discussed—how to improve the newspapers, how to extend the use of French in the schools, how to promote colonization, etc.† There is always an air of confidence, and a great, unquenchable race-pride. "God be thanked," exclaimed Dr. Comeau, in addressing the congress at Caraquet in 1905.§ "We are beginning to measure our strength. The air which we breathe is becoming more and more vital, and we see a light dawning where only darkness was visible. Too long did we live sad and disheartened, like a conquered people. But suddenly we perceived what noble blood ran in our veins, and we lifted our heads proudly. We have the right to do it, since we are French and since our race has for centuries shed its purest blood for the best causes."

According to the census of 1901 the total French population of the Maritime Provinces was 139,006, including 5,374 immigrants from Quebec, and 354 from France. The increase over 1881 was small indeed, only

\*The National Congress of 1908 thanked the Boards of Education of N. B. and N. S. for providing books in French for the Schools. *Action Sociale* (Quebec), 25 August, 1908. On general subject see Hopkins' *Canada*, an *Encyclopedia*, and Poirier's *Le Père Lefebvre*.

†For programme of 1908 see *Action Sociale*, 25 August, 1908.

§*La Presse* (Montreal), 18 August, 1905.

a little over 31,000; but the explanation lies in the "Exodus" to New England, which was fairly continuous throughout the second half of the nineteenth century, and which planted more than forty per cent of the Acadians on the other side of the international line.\*

The main strength of the French lies in New Brunswick, where they formed, in 1901, almost a quarter of the population—24.15 per cent. They have concentrated in the six northern counties. There ninety-six per cent of them have massed together and applied all their energies to laying deep and firm the foundations of their ascendancy before looking southward for fresh conquests. They already form fifty-one per cent of the population, and constitute the majority in three counties. In Restigouche, Northumberland and Gloucester their progress has been very rapid. And although the English have been increasing in numbers and stubbornly contesting the ground in Victoria and Westmoreland, the fact remains that in the thirty years preceding the census of 1901 the increase of the French was 82.06 per cent, and the increase of the English only 24.4 per cent. It might be noted that the contiguity of Quebec has an immediate and practical importance. Settlers are coming to Restigouche and Victoria, and are likely to come in growing numbers. In the sparsely peopled North there is plenty of room for them, as well as the natural increase of the native population. In fact, the problem before the French is how to take possession of the wilderness before immigrants of another nationality begin to force their way in. Big families will help; and the Acadian families are very big. In Gloucester county the average family in the three census sub-districts where the French are most preponderant varies from 6.4 to 6.64. Comparing this with the English family, we find that in Queen's County, where five sub-districts have no French population, four of them run between 4.47 and 4.96, while the fifth reaches 5.72. As in Quebec, a decadent birth-rate helps to explain the relative decrease of the English.

In Nova Scotia the French number 45,161, or 9.82

\*See Davidson, *Growth of the French Race in America* (*Annals of the Amer. Acad.*, September, 1898, pp. 1-23).

per cent of the population. Their numbers would give them some influence and hope for the future if they were massed together as the French are massed in the northern counties of New Brunswick, or the eastern counties of Ontario. As a matter of fact, they are widely scattered. Ten of the eighteen counties have a French population ranging from 1,537 in Guysborough, to 8,411 in Yarmouth, and forming in half of these less than nine per cent of the population. Still it is true, in a rough way, that the French are massed in the south-west and north-west extremities of the peninsula. More than 16,000 of them are found in the former part; that is, in the Counties of Digby and Yarmouth, which are respectively 39.5 and 36.8 per cent French. At the other extremity 15,000 are found in the four counties of Guysborough (8.4 per cent French), Antigonish (17.4), Inverness (17.8), and Richmond (49.4). Almost everywhere else the French are an insignificant element of the population, and in many cases have utterly lost the right to be ranked as Frenchmen. In Lunenburg practically all of them have given up their language and their religion. What little increase there has been in the population of Nova Scotia is found mainly among the French. Their increase between 1881 and 1901 was 9.56 per cent; that of the English 3.77. But the relative strength of the races has hardly changed.

In the little Province of Prince Edward Island the French have done much better. In 1901 they numbered 13,866, or 13.42 per cent, as against 9.87 in 1881. In the twenty years they increased 28.42 per cent; the English 8.91. In the three counties of the island their strength in 1901 was as follows:

Prince .....	9,539 or 26.94%
Queens .....	2,798 or 6.48%
Kings .....	1,529 or 6.18%

Prince county lies opposite the French district of New Brunswick.

## CHAPTER III.

### *The Organization of the Parish\**

Those who travel along the St. Lawrence see towering above each humble village the solid masonry and gleaming spire of the parish church. It seems to be symbolic of ecclesiastical dominance. From it the curé, controlled absolutely by his bishop, wields an enormous influence, springing partly from his natural capacity of leadership, but chiefly from his position in the wonderful Roman system, from the powers vested in him by the civil law, and from the dependence of the somewhat superstitious peasants. It is the centre of village life, sometimes even the forum of politics. Without some knowledge of parish organization in Quebec no one can appreciate the power of the church or its peculiar relations with the state.

Most noteworthy are the collection of the tithe and the assessments for the building and repairing of churches and presbytères. They play an important part in the process by which the English are being supplanted on the soil of the Eastern Townships and elsewhere. "The prime cause of the ejection of the Protestants from the land is the parish system," says Mr. Sellar in his "Tragedy of Quebec." " . . . Consider what that system means to the English farmer. So long as a farm is owned by a Protestant, the priest can levy no tithe; his trustees no building-tax. The moment it is sold to a Catholic, the priest draws tithe and the church-wardens dues. See the motive here held out, apart from any religious or national consideration, to get the Protestant pushed aside. . . . It

\*The great authority on this subject is Mignault, *Le Droit paroissial* (Montreal, 1893). Though written seventeen years ago, it is still sound on all questions of larger importance, few modifications having been made by statute or judicial decision.

is a loose way of speaking with many to say that it is the educational difficulty that drives the Protestant farmers away. The primal cause is the parish system, of which Separate Schools are merely a consequence."<sup>\*</sup>

Under the Old Régime parishes were erected canonically without the intervention of the state and not, as in France, by letters-patent registered by the *Parlement*. Much the same practice is followed to-day. It is true that the bishop usually proceeds according to certain provisions of the Civil Code which the state has laid down in view of the future creation of a municipality, and that Government commissioners review his action preparatory to advising civil erection.† But should the bishop neglect to follow the statutory requirements, the parish will nevertheless be a religious corporation capable of holding property, and, through its curé, collecting the tithe.§ The civil courts have no jurisdiction to revise the episcopal decree;‡ and when the Catholics of Pike River, cut off from the parish of St. Damiens de Bedford, and formed into a new parish, demanded \$20,000 damages from the bishop of St. Hyacinthe, and exemption from his decree erecting the new parish, the bishop refused to recognize the jurisdiction of the courts.||

The parish, when once erected, is a corporation in the eyes of the law, but a corporation which exists only for the purposes of worship. It may acquire property, such as a church and a cemetery, provided that the employment of such property is religious and not commercial or speculative.\* All the powers of the parish to acquire, possess, plead, etc., are exercised

\*Sellar, pp. 130, 132.

†See S. R. Q. 3371 sqq. and 29 Code Municipal. The action of the bishop, if he follows S. R. Q. 3371, is taken upon the request of a majority of the freeholders of the territory. The courts have decided that the resistance of the minority can have no effect (ex parte Lecours, 3 L. C. R., 123) and that it is for the bishop alone to decide who are the freeholders (ex parte Guay, 2 L. C. R. 292).

§Cadot v. Ouimet, M. L. R., 2 Q. B., 215-217; Ferland v. Paulin, R. J. Q., 14 C. S., 60, 1898.

‡Ex parte Guay, 2 L. C. R., 292.

||La Verité (Quebec), 9 September, 1893.

\*Mignault, op. cit, p. 43.

by a body composed of the curé and church-wardens, and known as the *fabrique*; with it lies the temporal administration of the parish. The spiritual administration is in the hands of the curé, whose discharge of these duties, according to Mignault, cannot be examined by the civil tribunals.\* Occasionally the parishioners meet in assembly to authorize acts which go beyond the limits of ordinary administration. Over all looms the pervasive episcopal authority.

The bishop controls the whole religious order of his diocese, save that appeal may be taken to his ecclesiastical superiors. He creates the parish. He names and may displace the curé and the vicars. He interests himself everywhere in the spiritual government of the parish. He may revise and annul the decisions of the *fabrique* and substitute his own rulings. The fundamental principle of parish law is that the final administration of the church property belongs to the bishop, the *fabrique* merely acting under his control; the parish cannot hypothecate or alienate property without his consent. He audits the accounts of the *fabrique*. He fixes the tariff on grand masses and funerals. He has certain legislative and judicial powers. In fact, the government of the church is monarchical, and quite in line with French traditions of centralization.†

The curé is an instrument in the hands of the bishop, easily bent to his will because appointed and arbitrarily removable by him. This power of removal, though legally withdrawn towards the close of the seventeenth century, continued to be exercised by the bishop with the connivance of the French court,‡ and was held in the case of *Nau v. Lartigue* in 1838 still to belong to him.‡

Notwithstanding his complete subordination to the bishop, the curé occupies both legally and socially a very privileged position. He is exempt from military and jury service; also, with certain exceptions, from

\*Mignault, op. cit., p. 46.

†Mignault, pp. 118 sqq. In the eyes of the law the bishop is an ecclesiastical corporation. 12 Vict., cap. 136; 32 Vict., cap. 73.

‡Mignault, p. 4.

†Ramsay's Index to Reported Cases, p. 90.

arrest for debt or in civil actions.\* Though not having the required property qualifications, he may vote in the elections for the Legislative Assembly,† or be chosen school commissioner.§ (He is, however, incapable of sitting on the municipal councils.)‡ Because of the attractions of the life—not only to the pious, but to those who crave power and authority—men of marked ability enter the ministry. Their ecclesiastical character as agents of the church organization and as performers of the mass, their thorough though somewhat mediaeval education, and a long tradition of leadership help to give them an ascendancy over the peasants which is most marked in the remoter country districts. At times, taking advantage of their position in the church, they have indulged in excesses which the courts have been called upon to check. Limitations have been set upon their activities at election time.|| They have been condemned for defamation of character in the pulpit and out of it.\* The courts have even held a curé liable to damages for the marriage of a minor without parental consent, and for refusal, without just cause, to baptize a child of one of his parishioners.†

The curé draws his income from various sources (such as the casual dues for the performance of spiritual services), but mainly from the tithe. The tithe has always existed in Canada, being at first a thirteenth of all products, and later a twenty-sixth of all grains.§ Its collection, left dependent upon the royal will by the Capitulation of Montreal,‡ was legalized by the fifth article of the Quebec Act "with respect to such

\*C. C. 2276, C. P. C. 805. For exceptions see C. C. 2272-3.

†55-56 Viet., cap. 3, sect. 1.

§S. R. Q. 2006.

‡C. M. 203.

||See below, Chapter VII.

\*Derouin v. Archambault (19 L. C. J., 157, 1874); Vigneaux v. Noiseaux (21 L. C. J., 89, 1877); Broissoit v. Turcotte (19 L. C. J., 141, 1875); etc. But see Blanchard v. Richer (20 L. C. J., 89, 1876), and Mignault, pp. 139 sqq.

†Larocque v. Michon (8 L. C. R., 222, 1858) and Harnois v. Roussé (Ramsay's Index, 90, 1844).

§Mignault, pp. 147-187.

‡Article 27.

persons only as shall profess the said religion." It falls, therefore, only upon Catholics; and those who wish to escape it may do so by deserting their church, though the fact of their apostasy must be made sufficiently plain.\* That all Catholics, irrespective of the tenure of their land, owe the tithe is clearly the law of to-day, however disadvantageous it may be to the English farmers in the Eastern Townships,† and however inconsistent with the express declaration of the Quebec Act.§ There is one famous decision to the contrary, delivered by Judge McCord in the Circuit Court of St. Hyacinthe more than half a century ago. In the case of *Refour v. Sénécal*,‡ he held that the obligation of the tithe did not extend to lands held in free and common soccage. But, according to later cases,|| his interpretation of the Quebec Act was erroneous; and by the terms of the revised statutes\* it is formally declared that the laws which regulate lands held *en franc alleu roturier* (that is, free from seigneurial rights) shall regulate also those held in free and common soccage. This gives the parish system a full legal footing in the Eastern Townships where the land has been held from the beginning by soccage tenure.

In the collection of the tithe some difficult legal questions have arisen.† The general principle is that the charge, being upon the fruit of the land and not

\*In *Soly v. Brunelle* (16 L. C. J., 101, 1872) it was held that verbal notice was not necessary where another religion was openly practised. But earlier cases held that notice must be given the curé in writing. *Gravel v. Bruneau* (5 I. C. J., 27), *Proulx v. Dupuis* (1 L. C. J., 94; 16 L. C. R., 179).

†For the reason mentioned above, p. 67.

§Sec. 9: "That nothing in this Act contained shall extend, or be construed to extend, to any lands that have been granted by his Majesty, or shall hereafter be granted by his Majesty, his heirs or successors, to be held in free and common soccage."

‡4 L. C. R., 411, 1854.

||*Stuart v. Bowman* (3 L. C. R., 309), *Wilcox v. Wilcox* (8 L. C. R., 84), *Boy v. Bergeron* (2 B. L., 532). See Sellar, p. 130.

\*Chapter XXXV., Section 11.

†See *Gaudin v. Starnes* (20 L. C. J., 192), *Brisette v. Lareau* (6 R. L., 207), *Gaudin v. Ethier* (M. L. R., 1 Q. B., 37).



upon the land itself, should fall upon the harvesters.\* Where a Catholic tenant pays all his rent in money he must pay all the tithe; where he pays all or part of the rent in kind the landlord must pay his proper share of the tithe. If the landlord is Catholic and the tenant Protestant, no tithe can be collected. But if the landlord is Protestant, and the tenant Catholic, the full liability rests upon the tenant. The tithe is due at Easter, and can be exacted by the curé only at that time.† It amounts to a twenty-sixth of the harvested cereals.§ It has been extended to include hay.‡ The harvester must bring what is due, properly threshed and winnowed, to the curé's barn.|| It is necessary that the curé exercise some vigilance, because, if the grain passes out of the possession of the debtor, without bad faith on his part, no tithe can be claimed.\* The tithe is gradually giving way to a money-payment, the parish priest and congregation agreeing upon a fixed sum, and the bishop approving it.

In cases where the tithe is insufficient to support the curé, or where the heads of families pay no tithe (this applies particularly to the towns and cities), it is customary to levy a kind of personal tithe known as the capitation. It is not certain that the curé has the legal right to enforce payment of this. There is no law fixing the amount of the capitation or regulating its collection. The laws of the Old Régime, however, did enact that, if the regular tithe were insufficient, the necessary supplement should be fixed by the Superior Council of Quebec and furnished by the lord of the fief.† And in the case of *Darignon v. Lesage* (1893)§ an obiter dictum declared that the bishop had the right to impose whatever supplement he thought proper for the support of the curé in order to assure the benefits of religion to the faithful.

\*Mignault, pp. 165 seq.

†Filiatreault v. Archambault (4 L. C. J., 10).

§Mignault, p. 176.

‡By episcopal decree, in a few places where but little grain is raised.

||C. C. 2219; Mignault, p. 175.

\*Gaudin v. Ethier (M. L. R., 1 Q. B., 37).

†Mignault, p. 184.

§R. J. Q., 3 C. S., 1, 1893.

The faithful do not appear to make much complaint of the capitation which, even in cities like Montreal, is very light. What frequently rouses discontent is the payment which the curé exacts for spiritual services. In fact, the so-called casual dues fall heavily upon the poorer parishioners, and occasionally provoke resistance. Unfortunately the judicial decisions are conflicting. In *Courtmanche v. Mailloux*\* it was held that payment for spiritual services might be demanded from those who did not pay tithe. But in *St. Aubin v. Leclaire*,† which was decided at a later time and by a higher court, it was held that the tithe, established by law for the maintenance of the curé, covers all the services that he renders to his parishioners, and that the administration of the sacraments is essentially free.

The temporal administration of the parish is conducted by the parishioners and the *fabrique*, though the curé has important functions to discharge in connection with these bodies, and the bishop has always the final word. The parishioners are called in to perform certain acts which are beyond the competence of the *fabrique*.‡ They are consulted when there is question of erecting a parish. They elect the churchwardens—who with the curé—form the *fabrique*. They authorize loans, alienations, acquisitions of real estate, extraordinary expenditures and actions in the courts. They receive the accounts of the *fabrique*. Matters connected with the building and repairing of churches and presbytères, such as the election of the trustees and the inspection of their final accounts, are referred to the parishioners. This assembly, over which the curé presides, is composed of resident householders.‡

The *fabrique* is a permanent religious corporation which represents the parish and administers in its name.¶ What it administers, even the registers in

\*10 R. L., 195, 1879.

†M. L. R., 2 S. C., 4, 1885.

‡Mignault, pp. 370-386.

§S. R. Q. 3438. See also *Plante v. Guèvremont* (R. J. Q., 18 C. S., 401), *Walsh v. City of Montreal* (R. J. Q., 8 C. S., 123, and 10 C. S., 49), *Roy et al. v. Thibault* (22 L. C. J., 280), *ex parte Renouf* (6 R. L., 696), and the judgment of the Privy Council in *La Fabrique de la paroisse de Ste. Anne de Verchères et la corporation*, etc. (19 L. C. J., 148).

¶Mignault, pp. 44 and 213 sqq.

which its minutes are written, belongs to the parish. But, in spite of this, and the fact that the churchwardens are usually elected by the parishioners, they are not in the real sense delegates; for only death or resignation can end their official life.\* The *fabrique* consists of an Ordinary Bureau and a General Assembly, the former being composed of the curé and three churchwardens, the latter including the members of the Bureau and all those who have held the office of churchwarden in the past.† Elected by the parishioners for a period of three years, the active churchwardens enjoy a position of some dignity, occupying a special bench in the church and often receiving the communion before others.§ They take charge of foundations (sums given for the chanting of masses and the celebration of other religious offices); purchase sacred vessels, books, ornaments, etc.; pay the salaries of employees; furnish the registers of civil status; look to the repairing of the church, and receive the revenues from seats, collections, invested funds, etc.‡ The General Assembly acts only in regard to matters which pass the competence of the Bureau.||

Somewhat elaborate machinery has to be set in motion for the construction of churches. The bishop, the freeholders of the parish and the state have each a part in the proceedings. Legally, at any rate, the popular will has a good deal of force, though there may be occasionally some bullying and appeals to superstition on the part of ambitious curés. A majority of the parishioners must take the initiative. Upon their request the bishop, if he regards it favorably, fixes the situation, dimensions and cost of the church.\* Government commissioners, after hearing complaints and reviewing the episcopal dispositions,† must, on the

\*Anger et al. v. Labonte et al. (R. J. Q., 2 C. B. R., 38) and S. R. Q. 3436b (2 Ed. VII., cap 22).

†Mignault, pp. 289 and 333.

§Id., pp. 247-259. Vacancies are filled by co-optation in Montreal.

‡Id., p. 260.

||Id., pp. 335-336.

\*S. R. Q. 3366 and 3371 sqq. See Mignault, 410-412.

†S. R. Q. 3408. Without the consent of the bishop they can make no change in the dimensions of the church or in the nature of the work to be done. S. R. Q. 3409; Mignault, p. 415.

demand of a majority of the freeholders, summon a parish assembly for the election of three trustees.\* These trustees, who form a corporation charged with the supervision of the work in hand, draw up an assessment roll; collect the proper instalments of the tax from the freeholders, by judicial process if necessary;† and pay the contractors.§ They submit the assessment roll to the commissioners, who may accept, modify or reject it.‡ Confirmed by them it is final and not subject to attack in the courts except on the ground of grave informalities in procedure.|| The cost of the new building, which may be spread over a period of fifty years,\* must be borne by all Catholic freeholders.† Only Catholics are liable; but to gain exemption there must be sufficient proof of a change of faith. Thus in the case of *Les Syndics de Lachine v. Fallon*§ the court held that the defendant was still a Catholic; for although he declared that he had ceased to practise that religion, he refused to answer under oath as to his present beliefs.

The cost of churches is commonly large; their size and appearance, even in isolated places, very imposing. Viewed by Protestants, who contrast them with their own churches and with the comparatively poor dwellings of the *habitants*, they are too often regarded as monuments of the rapacious and plundering spirit of the clergy. This idea is propagated by whispered criticisms coming from disgruntled minorities who have opposed the expenditure, and by the indiscreet utterances of the clergy themselves. "Hell," wrote Father Lacasse, "awaits those who refuse to bear these divinely appointed burdens."‡ There is no doubt

\*S. R. Q. 3396 sqq.

†S. R. Q. 3413. Action must be brought in certain specified courts where the processes are usually least costly.

§S. R. Q. 3402 sqq.

‡S. R. Q. 3434; Mignault, pp. 453-455

||Ex parte Boucher et al. (6 L. C. J., 333), *Les Syndics v. Pacaud* (6 L. C. J., 290), *Les Curé et Marguilliers, etc., v. Lanouette* (9 R. L., 542), *Les Syndics, etc., v. Forte* (10 L. N. 29).

\*S. R. Q. 3414, amended by 61 Vict., cap. 26.

†S. R. Q. 3410.

§6 L. C. J., 258.

‡Forum, March, 1897, p. 318.

that the threat of spiritual penalties is still employed and often proves effective. But whatever influences the curé may bring to bear in his effort to keep pace with the improvements in other parishes, the same feeling of pride stirs most of his flock; and the fact that a majority of the freeholders petition for the church and afterwards petition for the election of the trustees is a sufficient guarantee against arbitrary action by the clergy. Nor should it be forgotten that the congregations are much larger than those attending Protestant churches. Making allowance for the different populations of the two provinces, Protestant Ontario has three times as many churches as Catholic Quebec.

This brief account of the parish system shows that there is no real separation of Church and State in Quebec. Many of the details are regulated by statute. In the collection of the tithe and the building-tax recourse may be had to the civil tribunals. In matters which are not covered by any positive enactment of civil law, it is by the express permission of the state that canon law and parochial usage are followed.\* It will be seen in the following chapters that there is something of the same close association of Church and State with regard to education and marriage.

\*S. R. Q 3448; *Martin v. Brunelle* (1 B. L., 616).

## CHAPTER IV.

### *The Educational System.*

A system of separate schools prevails in the Province of Quebec. Its foundation dates back some seventy years, when Upper and Lower Canada (as Ontario and Quebec were then called), though brought into a legislative union for the purpose of crushing and assimilating the French,\* found that the conduct of representative government required concession and compromise. The arrangement had ostensibly a religious basis; in reality it sprang from the fact that the majority in Lower Canada were both Catholic and French, and that the minority were both Protestant and English. The French wished to stay French, the church wished to keep them French that they might remain Catholic. Under these circumstances no cabinet would have dared to insist upon the establishment of a national system of schools. That such a system, once legally established, would never have been actually adopted by the French is abundantly proved by the complete failure of the act of 1801,† and by the history of the French communities in the Maritime Provinces and New England. The Education Act of 1841, therefore, inaugurated the principle of separate schools,‡ which has survived all changes in the school law of both Quebec and Ontario and which is placed under constitutional guarantee by section 93 of the British North America Act.

While the School Code lays down the general lines

\*The Act of Union, outcome of the rebellion of 1837 and the recommendations of Lord Durham, lasted till 1867.

†Put into operation by Letters Patent in 1818. The Roman Catholics, who would have nothing to do with this secular scheme, set up voluntary schools.

‡In clause xi. See Hodgins, *Legislation and History of Separate Schools in Upper Canada* (Toronto, 1897).

of organization and administration,\* actual control is left in private hands. The government has little more to do with the schools than with the Roman Catholic parishes. There is no Minister of Education, the office having been abolished in 1876. That the church will do all in its power to prevent their being one was shown in 1897 when Premier Marchand's bill, carried through the Assembly in the face of angry protests and a cablegram from Rome, was thrown out by the Upper House. M. Langlois, newspaper editor and reputed Freemason, has met with similar rebuffs in the legislature. *La Verité*, the clerical organ in Quebec, commented on his efforts in the following strain:† "This Minister will have a decisive influence on the methods, the books, the training of instructors—or he will not have it. If he does not have it at all, what good will he be? If he has it, will Protestant parents be ready to confide to a Catholic Minister the training of their children, and *vice versa*? Will Catholics and Protestants be disposed to deliver the minds of little students to such and such a member of the 'Emancipation' [Masonic lodge]?" And:§ "It is more than strange to see Catholics working in a matter so important and so grave to substitute the state for the family and the church." The clergy protest against bringing politics (and Freemasonry) into education; the Freemasons are bent upon driving the clergy out of it. At present the clergy have their way: there is no Minister of Education.

All that remains of that departed functionary is the shadowy form of the Superintendent of Public Instruction. It might be regarded as fortunate that his office is apparently outside of politics and unaffected by the rise and fall of cabinets.‡ Unfortunately he is deprived of all authority, all initiative, all independence and vigor of action; can take no active part in forming

\*See The School Law of the Province of Quebec, compiled by G. W. Parmelee (Quebec, 1899). Amendments to date are provided by the Department of Public Instruction. A similar work is Paul de Cazes, *Code scolaire de la province du Quebec* (Montreal, 1899).

†5 October, 1907.

§30 November, 1907.

‡School Law, 38; regarding his appointment and tenure.

the laws which regulate the schools; and is unable to free himself from a complete subservience to those clerical influences which have moulded Roman Catholic education in the province, and intend never to relinquish control. His duties are very modest. He distributes the government contributions, amounting to about a quarter of a million annually,\* and may withhold its share from any school municipality which neglects to send the proper returns, uses unauthorized text-books, or fails in any of the obligations placed upon it by the law.† He may authorize the erection or division of school municipalities,§ and upon the petition of ratepayers hold inquiries into such changes.‡ The school inspectors receive instructions from him.|| He sends to the legislature an annual report and budget, and compiles statistics regarding educational institutions and intellectual progress generally.\* In addition to the exercise of these duties he acts as member of the Council of Public Instruction and of the two committees (one Roman Catholic, the other Protestant) which compose it;‡ and he must comply with whatever directions he receives from them.§ It will be understood that in such a dependent position and with such limited powers the Superintendent cannot be a dominating factor in public instruction.

It is not by him, but by the Roman Catholic and Protestant committees, that the most important questions are decided. The jurisdiction of the committees extends over the whole field of the organization, administration and discipline of the public schools and the government of the normal schools.‡ They fix the courses of study,|| authorize the only text-books which may be used,\* control the granting of diplomas to

\*School Law, 45; Report of Superintendent, 1907-8, p. 231.

†School Law, 43.

§School Law, 96 sqq.

‡School Law, 44 and 105-111.

||School Law, 77.

\*School Law, 45.

†School Law, 39.

§School Law, 40.

‡School Law, 55, i. and iii.

||School Law, 215, iii.

\*School Law, 56.



teachers,\* recall them for sufficient cause,† examine candidates for the office of inspector,§ regulate school libraries,‡ and determine what holidays shall be given.|| In these cases each committee acts for the schools of its own faith.\* The Catholic committee, composed half of laymen and half of clergy,† is dominated by the hierarchy, who hold their seats *ex officio*, and, if unable to attend its sessions, may be represented by delegates of their own appointment.§ As they always hold together and easily manage to secure the votes of some lay members, their ascendancy is assured.

Throughout the province Catholics and Protestants maintain separate schools, a wasteful duplication which can be justified only when there is a difference of language as well as of religious belief. In each municipality the school supported by a majority of the ratepayers‡ is governed by a corporation of five commissioners who are elected for a term of three years.|| Any number of ratepayers professing a faith different from that of the majority may, upon giving proper notice, withdraw from the control of the commissioners and form a separate corporation of three trustees.\* But should the dissentient ratepayers become a majority in the school municipality, they organize themselves under commissioners,† the former majority then declaring themselves dissentient and electing trustees.§

\*School Law, 84, 87, 88.

†School Law, 57.

§School Law, 55, v.

‡School Law, 546.

||School Law, 55, vi.

\*The Council of Public Instruction acts only where the interests of Protestants and Catholics collectively are concerned. School Law, 48.

†School Law, 46.

§While lay members may only ask colleagues to act for them. School Law, 68.

‡Property-holders in own or wife's right School Law, 148.

||School Law, 150-154, 175-176, 198, 200.

\*School Law, 123, 124, 126, 132.

†School Law, 127.

§School Law, 128.

Any ratepayer, differing from the religious faith of the majority, may, upon proper notice, become a dissentient.\* In like manner any dissentient may join the majority. The courts have carried the law still further. "It is permitted to every taxpayer in a school district," runs a decision of the Superior Court,† "to withdraw from a dissident corporation and join the majority under the control of the school commissioners, even should this taxpayer have formerly demanded the erection of this corporation to which he would have paid taxes for a certain time, and even when he would be of a religion different from that of the majority."

The powers of school commissioners and trustees are defined minutely in the statutes. They may borrow money and issue debentures,§ levy property taxes for the support of schools,‡ acquire land and erect buildings.|| They make regulations for the management of the school,\* engage and dismiss teachers,† expel refractory students,§ fix the amount of the monthly fees,‡ and see that only the authorized courses of study are followed, and only the authorized books used.|| They are also bound to follow the instructions of the Catholic or Protestant committee, as the case may be. The payment of the monthly fee for elementary schools, which must not be more than fifty cents, or less than five, is compulsory for all children between the ages of seven and fourteen, whether they attend or not, and for all children outside those ages who do attend.\* By implication, then, instruction is obligatory, but not free. But in practice it is free, but not obligatory; no child between seven and

\*School Law, 139.

†*Syndics des écoles d'Outremont v. Ainslie* (R. J. Q., 25 C. S., 348, 1904).

§School Law, 234-235.

‡School Law, 236-237.

||School Law, 229.

\*School Law, 215, v.

†School Law, 215-228.

§School Law, 215, xiii

‡School Law, 245-251.

||School Law, 215, iii. and iv.

\*School Law, 245, 247. The monthly fee has been abolished in Montreal. *Action Sociale* (Quebec), 6 April, 1910.

fourteen can be excluded for non-payment.\* According to the figures of the Superintendent's report practically all children between those ages are enrolled in the schools.†

Under the system which has been described what kind of primary schools do the French-Canadians secure? To any observer their inefficiency is patent and even appalling. "We are ready to acknowledge," says the *Montreal Witness*,‡ "that compared with ideal conditions our attitude towards education is disgraceful, and, further, that in these days of necessary competition with all other peoples it involves a national peril." Of course, the clergy, who control the schools, and those who are under their influence, look on the matter quite differently. "Open your eyes," wrote Abbé Baillargé,§ replying to newspaper attacks, "and the province will have nothing to fear from your criticism. As a matter of fact, and as a practical result, have our children less truths in their heads than the children of the other provinces? In the realm of morals have our children less virtues than those of the neighboring provinces? The Province of Quebec is, we assert, the most intellectual province in Canada." Not content with such indefinite vindication, M. Magnan, a prominent school official, undertook to prove that Quebec spent more *per capita* on public instruction than any other province. In order to do this he included a sum of nearly two millions and a half which the convents and schools of the Christian Brothers (independent of the Government) were supposed to have spent.||

The reply of M. Godfroy Langlois, leader of the reformers, was very much to the point.\* "Whether we spent little or much for public instruction, there are other statistics, much more eloquent, which show how pitiable is the level of instruction in our province. Even if M. Magnan may prove that we spend five mil-

\*School Law, 247.

†1907-1908, pp. 264-265: 231,478 children out of 240,815.

‡2 February, 1903.

§Quoted in *Witness* (Montreal), 2 February, 1903.

||Magnan, *Honneur à la province de Quebec* (Quebec, 1903).

\*In his paper *Le Canada* (Montreal), 9 January, 1906.

lions a year on education, we shall reply by putting under his eyes the deplorable instruction given in our primary schools, the lamentable ignorance of the majority of our women teachers, the humiliating result of the competitions in which the French-Canadians of Quebec cut so sorry a figure beside the French-Canadians or English of the other provinces. We spend five millions a year, our school budget is higher than that of Ontario, cry M. Magnan and those who join in the chorus with him. But then we must spend this five millions very badly, since our people are still so ignorant, since out of our 6,000 women teachers three-quarters and more do not know how to teach, are so ignorant of grammar and spelling that they cannot write a letter properly; since these women teachers, good or bad, do not receive a higher salary than our servants; since our schoolhouses are insufficient, etc., etc. . . . Alas, the facts that we give here cannot be controverted like the facts of M. Magnan. They can be proved any day. And they are being proved. Thus at the last civil service examination held fifteen days ago at Ottawa, an informed and competent man affirmed to us that 75 per cent of those examined from Ontario were going to obtain their certificates, while hardly 10 per cent from Quebec would obtain them. Is this not a shame and a disaster?"

The incompetency of the teachers may be proved sufficiently from the reports of the school inspectors. "One half of the teachers . . . seem ignorant of the first ideas of the course of studies," we read.\* "There are thirty-seven who have no diplomas and who, with few exceptions, teach only a little reading and writing as well as the catechism to the children preparing for their first communion. This will give an idea of what the result may be from the intellectual standpoint." Another inspector says:† "There are too many persons who have no vocation for teaching -> and are accepted because no better ones can be got." In another case the inspector is "unable to recommend any other municipalities for the remaining premiums,"

\*Report of the Superintendent of Public Instruction, 1907. 1908, p. 23.

†Id., p. 71.

none others giving a minimum salary of \$100.\* And again:† "It is true that the salary is still far below what it should be, but if the increase continues for some years, teachers will be more suitably remunerated. I must admit that this will be still far from perfection, but the school boards are alone to be blamed for the anomaly. They are often composed of persons who can barely read and write and who cannot judge of the ability of a teacher, so they take the one who asks the lowest salary." Evidence of this kind, coming from a source which is far from being anti-clerical, might be multiplied. It must also be noted that 4,600 males and females in orders are teaching in the primary schools, model schools and academies without teachers' diplomas.§ They are exempted by statute from the necessity of securing diplomas—an exemption for which they give no guarantee of efficiency. The school inspectors, knowing whom they serve, sprinkle their reports with eulogies. "The admirable devotedness of those who teach in the convents," says one.|| "Success never fails to crown their zeal and courage," says another.\* But these phrases do not mean much. The church punishes, where it can, the slightest breath of criticism.

The fact is plain: the teachers are incompetent. And the explanation is plain: the salaries are not large enough to secure competency. Mr. G. W. Stephens, in the course of a debate in the legislature, said: "Female teachers in the Province of Quebec in rural districts receive an average wage per day of 32 cents, and male teachers an average of 44 cents. We pay our bricklayers 65 cents an hour; we pay our plasterers 45 cents an hour; we pay our carpenters 35 cents an hour; we pay our plumbers 35 cents an hour; and we pay our teachers, who are to give these people their education, less daily than these people earn an hour."†

\*Report of Superintendent of Public Instruction, 1907-1908, p. ■.

†Id., p. 118.

§Report of the Superintendent, 1907-1908, pp. xix.xx.

‡School Law, 93.

||Report of the Superintendent, p. 37.

\*Id., p. 47.

†Toronto News, 24 October, 1905.

In the primary schools where the teachers are almost entirely female the average salary for a female teacher possessing a diploma is \$177 in the towns and \$125 in the country.\* The average would be brought a good deal lower if the salaries of those who have no diploma were included. It is instructive to note that, for the Protestants, the averages are \$431 and \$210.

The low wage makes teaching unattractive as a permanent profession. Those who accept the wage are young girls who frequently stay at home and teach in their own or neighboring village; and as marriage is universal in Quebec, they look upon their work as merely temporary. The government shows its benevolent disposition by giving a bonus of fifteen dollars to teachers who have completed ten years of service. A dollar and a half a year! The church is equally benevolent and encouraging. "I greatly appreciate," says Archbishop Bruchési,† "the spirit of sacrifice, the tireless devotion of the poor female teachers who expend their health, their strength, the best years of their youth in the ungrateful task of instructing the little children and of forming them to the Christian life. God alone will know how to recompense properly their obscure and meritorious work." It is fair to say that the remedy lies neither with the government nor with the church directly. It lies with the municipalities upon whom—except for a small government grant‡—the expense of maintaining the schools falls, and properly ought to fall. Nevertheless, the church does not come off free of responsibility. She has made no earnest attempt to rouse the peasants to a sense of the importance of education or to the necessity of sacrifices. Knowing what she could have done, with her wide influence among the people and her control of the schools, we are forced to conclude that the church prefers things to remain as they are.

The bishops of the church themselves are responsible, and directly responsible, for the studies which are

\*Report of Superintendent, p. xix. There are only 30 lay male teachers in primary schools.

†Le Soleil (Quebec), 7 July, 1909.

‡Report of Superintendent, pp. 230-231; less than a quarter of a million as against \$2,870,244 raised by the municipalities.

prescribed and for the books which are authorized for use in the schools. As stated above, they settle these matters in the Catholic committee of the Council of Public Instruction. Under their hands the main purpose of the primary schools seems to be the preparation of children for their first communion. "After that ceremony," says Mr. Sellar,\* "few, of the boys at least, attend. These schools are as much a part of the papal system as its convents. They do for the ordinary child what the college does for the select few—train them in implicit faith in and obedience to their church." That such is the intention of the bishops may be gathered from the regulations sent out by the Catholic committee. "Religious instruction shall hold the principal place among the subjects of the course, and shall be regularly given in every school. . . . The catechism lessons of children preparing for their first communion shall receive special attention. When it is deemed necessary, children preparing for their first communion shall be exempted from a part of the other class exercises."† As the curé has the right to visit the school, inspect all documents, and both choose the books and direct the teacher in all matters of religion and morals,‡ the regulations are well enforced. The catechism, in the language of Mr. Sellar, "forms the staple of the course of study, with a little of the three R's in the intervals between it and prayers."‡ What that catechism teaches may be gathered from the following:||

"What is the Church Jesus Christ has established?"

"It is the Catholic, apostolic and Roman Church."

"Can one be saved outside the Catholic, apostolic and Roman Church?"

"No, outside the Church none can be saved."

Profane studies are well diluted in the text-books. Geography is transformed into an instrument of salvation. "Above all," says the *Petit Abrégé de géographie moderne*,\* which has no maps and devotes almost as

\*Op. cit., p. 137.

†Revised Regulations of the Catholic Committee, 1906, p. 71.

‡Id., p. 71, and School Law 74-75 and 215, iv.

§Sellar, op. cit., p. 143.

||Sellar, p. 142.

\*P. 30. By F. X. Touissant, formerly professor in Laval Normal School. Registered 1900.

much space to Mexico and Central America as to the United States, "two great interests urge the ambition of man: the salvation of the soul first of all; then, if possible, comfort in physical life. Now, no country in the world is more propitious to these two interests than the province of Quebec. Catholicism, outside which there is no salvation, rules there in full control, served by an episcopate as enlightened as pious, by a clergy of austere and pure morals, by numerous model institutions which dispense education and instruction to the children of the poor as well as to those of the rich, by numerous charitable hospitals, by pious congregations, by benevolent associations, and also, let us remark, by an intelligent and peaceful population which leaves hardly any place in its ranks for the ignorance of free-thought and for the imbecilities of impiety. Nowhere has truth freer play in placing itself at the service of the best aspirations of the mind.

"Children, read the history of this American France, study its geography with love, convince yourselves that nowhere else will you be better off than here, where you are among your own people, living with brothers who share your beliefs, speak your language and are interested in your success. Above all, be on guard against the temptation to emigrate to the United States, where so many minds, deflected from their legitimate inclination, are plunged into the vileness of a materialism which ruins the body and breeds misery."

"As for us French-Canadians," we read in another place,\* "the Province of Quebec, which includes such vast territories yet unexplored, ought to suffice. However, if there can be any excuse for seeking a living outside the bounds of Quebec, there is certainly none for settling outside the limits of Canada. While, on the one hand, the comfort of material life can be gained more easily in Canada than anywhere else, on the other, our political institutions are more favorable to all legitimate liberties than those of any country whatever, and, above all, than those of the United States. Undoubtedly the fanaticism of the English of the North-West at present vitiates the situation, but this fanaticism is neither more audacious nor more daring than that of

\*Petit Abrégé de géographie, p. 44.



the enemies which our race meets in the United States; and there is reason to hope that this fanaticism will strike its colors in the face of the energetic resistance of our clergy and of the help which the constitution still affords us. Lastly, we find at home the firm and vigilant guardians of our rights, while the United States have recently given us the example of even a Catholic clergy hostile to the people of our race, and, above all, to the French tongue."

It is not surprising that Catholics sometimes prefer Protestant schools. These are undenominational. The first half hour of the day is devoted to the reading of the Scriptures and the recitation of the Lord's Prayer;\* but denominational teaching is forbidden,† and any pupil may be freed from all religious exercises at the instance of his parents or guardians.§ Outside of the question of language, there is utterly no reason why Catholic children should not attend. When left to themselves, they frequently do. The Irish Catholics, for whom there is no language difficulty, understand clearly enough that in Quebec, as in parts of Ontario, the Protestant schools usually offer better teaching and a more effective programme of studies. In the Eastern Townships they resisted the introduction of separate schools, which came with the French invasion.‡ But article VI. of the Syllabus condemns systems of education which are outside the authority of the church, and which have to do only with things purely natural and with the social life of the world; and the Councils of Quebec have forbidden attendance at Protestant schools without approval of the bishop.|| In 1910 the Fathers of the First Plenary Council of Quebec declared that "wherever Catholic schools exist, an obligation of conscience rests upon parents to send their children there."¶ The tendency to disobey these injunctions seems strong. "As it still happens that parents think themselves at liberty to send their children to Protestant

\*Regulations of the Protestant Committee, 138-139.

†Id., 139.

§Regulations of the Protestant Committee, 137.

‡Sellar, op. cit., 129.

||First Council, decree xviii.; Fifth Council, decree xx.; Seventh Council, decree xvi.

\*Action Sociale (Quebec), 11 April, 1910.

—English—schools," Archbishop Bégin wrote to the parish clergy,\* "it is necessary to remind them every year that the Councils of Quebec, approved by the Holy See, have prohibited it under penalty of a refusal of the sacraments. If anyone believes that he has serious reasons for sending one or other of his children to their schools, he must inform the bishop, who will judge of their sufficiency, and grant or refuse the permission asked, according to the circumstances of the case." Archbishop Bruchési has also had occasion to give the same warning. "I must declare," he said in 1909,† "that the rule established by the church relative to attendance at non-Catholic schools by Catholic pupils is always in full vigor, and that it applies to all non-Catholic institutions without exception. Parents cannot send their children to them without incurring canonical penalties established by the Councils, unless having obtained from the bishop an authorization for each particular case." This was a threat levelled at those who preferred the Macdonald Agricultural School to that of the Trappists at Oka. ✓

In higher education the French-Canadians seldom go afield from their own provincial university, Laval, and the nineteen classical colleges which are affiliated with it. The attractions of McGill University, even in scientific courses, have not led many to break through ecclesiastical restraints. The number attending the different faculties was 16 in 1890, 35 in 1900 and 50 in 1909.§ Perhaps the gradual increase is significant of the educational awakening which has become pronounced in Montreal. Most noteworthy is the fact that the increase has been mainly in applied science. A few young men who have literary or artistic ambitions, or who wish to perfect themselves in medicine or law, make their way to Paris.‡ But Paris is not likely to strengthen affection for the church. "The sojourn of our students in Paris," says the organ of the archdiocese of Quebec,||

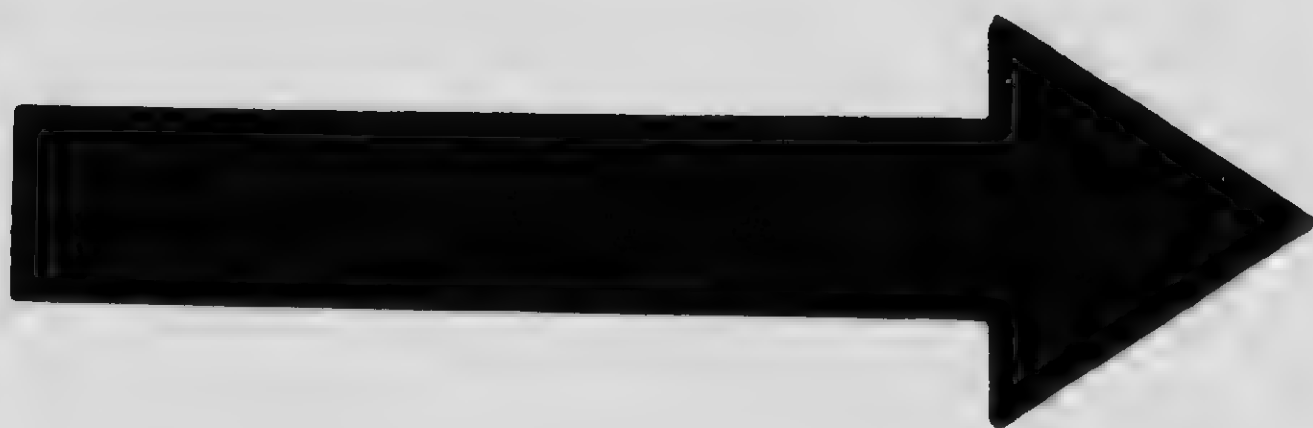
\*La Verité (Quebec), 13 April, 1895.

†La Verité (Quebec), 7 August, 1909.

§Figures furnished by the registrar.

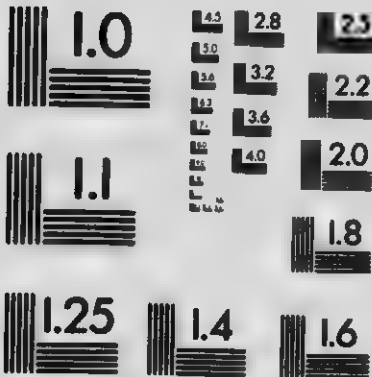
‡The numbers attending the various faculties of the University of France were 2 in 1890, 2 in 1900, 11 in 1909. Figures furnished by the Secretary.

||Action Sociale (Quebec), 18 July, 1908.



# MICROCOPY RESOLUTION TEST CHART

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"has long been a source of lively disquiet. And in fact many have come back strangely changed." The church, therefore, has its list of "we-do-not-patronize" institutions, and seeks to divert the little stream of students to such places as Louvain, where faith will not be contaminated.

Laval and the classical colleges are entirely under clerical domination. Laval, though raised to the status of a university only in the middle of the nineteenth century, can boast of a long history, beginning with the foundation of the *Petit Séminaire* in 1668.\* It does not belie its ecclesiastical origin. The final supervision of doctrine and discipline rests with a Superior Council composed of the archbishops and bishops of the civil province, under the presidency of the Archbishop of Quebec, who, besides being Apostolic Chancellor and Visitor, enjoys the power of veto over all rules and nominations. In 1876, by the bull *Inter varias sollicitudines*, Pius IX. placed the university under the protection of the Cardinal Prefect of the Propaganda. At the opening of the year the professors go to the archiepiscopal palace and deposit at the feet of the Visitor their oath of fidelity. Frenchmen who have come out to occupy the chairs of French literature established through the efforts of Abbé Colin, Superior of the Sulpicians in Montreal, have found their position intolerable. One, beginning his course with the nineteenth century, was forced to change to the seventeenth.† There was great scandal when M. de Labriolle delivered a eulogy of Paul Louis Courier, and when M. Léger made references to Zola and Anatole France.§ In 1904, when a medical congress holding its sessions at Laval resolved that all teachers, even those in orders, ought to have a certificate of health, the Vice-Rector at first closed the doors against the doctors, though he was finally prevailed upon to rescind the order.‡ The students are forbidden to make use of any library other than that of the university itself||—which is certainly

\*See Roy, *L'Université Laval* (Quebec, 1903).

†Siegfried, *Le Canada: les deux races* (Paris, 1905), p. 34.

§R. de Marmande in *La Revue*, 15 March, 1906.

‡R. de Marmande, *op. cit.*

||*Laval Annuaire*, 1904, p. 129.

not calculated to undermine their morals or their orthodoxy. Laval has a branch at Montreal which was founded in 1876 and has outgrown the mother-institution,\* becoming practically independent.

The classical colleges are formed after a pattern taken from the old world. Children may enter at the age of seven and eventually proceed to the bachelor's degree or enter the church. Out of an enrolment of 6,274 in the nineteen institutions, there were, in 1908, only 2,439 over sixteen years of age.† Practically all the instructors are in orders.§ The students are all formed in the same mould, and subjected to a discipline that too often breaks their spirit and initiative. Their education is classical, even to the point of having classes conducted in Latin. Modern literature and modern philosophy are eschewed.

Already criticism, insistent criticism, is being directed against these homes of obscurantism, not only by radical reformers like M. Langlois, but also by men whose temperament is conservative and whose attachment to the church still survives. Prominent among these are Senator David and Senator Poirier. "Influence, power, the future," says Senator David,‡ "belong to those who are trained, who are best armed for the struggles of commerce, of industry and practical science. Nothing must be destroyed; but our system of education must be modified so that in all activities, in all careers, the French-Canadians may not be on an inferior footing. . . . The idea is spreading widely that the dead languages occupy too large a place in our system of education, that more time ought to be given to the living languages and to the sciences whose knowledge has become indispensable. The study of Latin and Greek has always been considered as the best mode of training and embellishing the human mind. This was especially true at a time when the modern languages were still in a state of infancy and formation. But

\*Reports of Superintendent, 1907-1908, p. 365. In Quebec, 63 instructors, 447 students; in Montreal, 142 instructors, 894 students.

†Report of Superintendent, p. 367.

§Id., p. 367. Lay instructors, 26, clerical 598.

‡Le Clergé canadien, sa mission, son œuvre (Montreal, 1890), pp. 107 sqq.

since they have attained so high a degree of perfection and produced so many admirable masterpieces, the situation is now different."

Senator Poirier, in the course of his eulogistic biography of Father Lefebvre, remarks:\* "Our profoundly Catholic French-Canadian society has undoubtedly the same essential need of priests as there has been for the last two hundred years. No one dreams of contesting it. But it also needs learned citizens; and the institution of two hundred years ago, except for religion and language, is no more than a half-institution to-day. The contemporary political and scientific movement which has changed the face of the earth . . . has hardly or imperfectly been noted; and the fatal result has been this: Protestants, or at any rate laymen, fill to-day the advance guard of human progress, the position so usefully and gloriously occupied in the middle ages by the university rectors, the industrious monks and the representatives of the Catholic hierarchy."

"Those among us who love the teaching orders," Senator Poirier has said in another place,† "in the manner in which Fénelon loved Louis XIV. and royalty, and with the same sincerity, are, like him, dismissed in disgrace if they have the boldness to say to the king that he is not a god and that his courtiers deceive him and lead him to ruin. And no one in Canada dare touch the sacred arch of secondary education and tell the truth frankly. He must keep quiet or else flatter clumsily. For having had the temerity to write that a certain number, too large a number, of the professors in our colleges have not the competence requisite for teaching what they teach, and having proposed a certain reform in this regard, . . . I have been decreed a dangerous Catholic; many think that I am no longer a Catholic at all."

Thoughtful men are demanding that education must be of this century, instead of looking forever to the past; that it must occupy itself with the practical things now left almost exclusively to the English. They foresee a great industrial development in Quebec, and

\**Le Père Lefebvre et L'Acadie* (Montreal, 1898), p. 128.

†*Mouvement intellectuel chez les Canadiens-français depuis 1900* (T. R. S. C., 2nd series, vol. ix., p. 115).

wish to have the people of the province trained so that they can participate in it and profit by it. That is the meaning of M. Errol Bouchette's cry: *Emparons-nous de l'industrie*.<sup>\*</sup> The old idea that the French, having no aptitude for the practical affairs of business, should leave them to the English and confine themselves to agriculture, is passing away. "Of course," says Senator David,<sup>†</sup> "the English and Americans are more practical, . . . but they came to the country when all the French capitalists had left it; they had the capital and the training, and this gave them an original advantage."

Assaulted from many directions, the "sacred arch" of clerical control in the schools and colleges is already crumbling. The foundation in Montreal of the *Ecole des Hautes Etudes*, free from all clerical influence,<sup>‡</sup> seems to presage revolution; for nothing less than economic necessity lay behind this first bold achievement. On the whole, it is a just retribution. The clergy have shown little inclination to encourage improvement. Their attitude is born of fear. They have been afraid to admit any reforms, because when a little comes, all may come. No doubt, the people are ultimately to blame. They are, in the country districts at least, ignorant, over-economical, unable to recognize the rôle which education ought to play.<sup>§</sup> The school commissioners themselves are sometimes hardly able to read and write. But what has the church been doing to correct this attitude? What have the bishops and the curés through the province, in the parishes, done to encourage a forward and progressive movement? The indictment is one of neglected opportunities, opportunities which appear to have been deliberately neglected. It is only in very recent times, when face to face with actual revolution, that the clergy have begun to range themselves on the side of conservative reform.

<sup>\*</sup>Ottawa, 1901. See also his *L'Indépendance économique des Canadiens-français*, published in 1907.

<sup>†</sup>Op. cit., p. 105.

<sup>‡</sup>Incorporated by 7 Edward VII., cap. 23.

<sup>§</sup>According to the census of 1901 the percentage of illiterates in Quebec was 15.16 as against 7.85 for the whole of Canada. In 1891, however, the percentage for Quebec was 26.27. See Statistical Year Book, 1903.



Meanwhile, in consequence of the protracted clerical opposition, all projects of reform have been gathered together into a radical programme which demands a Minister of Education, free tuition and uniform books, and which is ardently championed by men desirous, like M. Viviani in France, of "extinguishing lights in heaven which shall never be relit."

It is likely that, for a time, new strength will come to the church through the excesses of the reformers. The people at large are far removed from Freemasonry and free-thought. Though they may feel some questionings, though on occasion they have shown some independence, the habit of submission lies strong upon them. They remember the splendid services of the past, still look upon the church as their best weapon against *assir'ia* tion and realize the chaos that must ensue upon her fall. The little group of radicals who have begun hostilities are brave men, or rash. They have much to lose personally fighting so unforgiving an enemy; their public responsibility will demand that they evolve a system of education capable of replacing what they overthrow. Perhaps they are wise in their determination to drive the clergy out at any cost. Whatever the weaknesses of popular control, under it men may at least speak their minds—suggest remedies, formulate improvements—without being laid open to the charge of *leze-majesty*.

## CHAPTER V.

### *Clerical Censorship.*

Section 1. Censorship of the Press.

Section 2. Censorship of Books.

Section 3. Censorship of the Theatre.

In no way has the church demonstrated her influence so impressively as in supervising the people's theatrical amusements and their reading. In the rôle of public censor she has struck down powerful newspapers and muzzled others, disciplined the managers of theatres, forced authors to withdraw their books, and banished from shops and libraries the novels of Honoré Balzac and the poems of Alfred de Musset. Why do newspapers like *La Presse* publish edifying discourses on the eucharist? Why is Montreal, the metropolis of Canada, unprovided with a public library? Why is the Théâtre des Nouveautés, once the home of good drama and good acting, given over to the exhibition of moving-pictures? It is because episcopal interdicts, even at this day, are enforced by a sanction as real as that which stands behind the laws of the State. The interdict may be dead in other countries, but it flourishes in Quebec. Observing the results of its employment, the mind travels back to the days of Innocent III.

Indeed, "mediaeval" is a term which the rebellious sometimes use by way of opprobrium. Mediaeval the action of the church must appear to those who see in it only an assault upon the modern principle of the freedom of speech and press and a self-interested antagonism to what are commonly regarded as the masterpieces of modern French literature. It may well seem strange that a newspaper should be publicly threatened by the archbishop for giving the names of Catholics who dared to attend a performance by Sarah Bernhardt, and that a theatre should be forced to close its doors for pre-

senting one of Bernstein's best plays. After reading Senator David's little book on *Le Clergé canadien*, one is dumfounded to learn that it appears on the Index and has been withdrawn from sale. It is equally astonishing that Réjane and Bernhardt cannot appear in Quebec without being subjected to indignities.

Much can be claimed, it is true, in favor of clerical censorship. The church has undertaken a responsibility which the State has failed to assume. To her way of thinking, the literature which the people read and the dramatic performances which they witness should be as rigorously inspected as the food which they eat; Marcel-Prévost and Zola on the shelves of a library are considered as dangerous to the public welfare as the most poisonous output of the packing-houses. She has labored conscientiously to keep the people clean, to protect home life, to preserve simple manners and innocent tastes; and the high level of morality—using the word in the narrower sense—which prevails among the French and Irish population of Quebec bears good testimony to her services in the discharge of a great trust. Too often, in the clamor raised over her mistakes and selfish behavior, that achievement has been overlooked. But it would be quite as wrong to overlook instances of excessive zeal and unnecessary oppression, acts of violence done where no public interest appeared to be at stake and where the battle was fought for the questionable motive of preserving power or punishing leze-majesty.

The dangers of clerical censorship must be fairly obvious, even to those who are not familiar with its actual operation. The church is an irresponsible organization, asserting over civil society an authority ordained by divine will, resisting with all her power any effort to diminish that authority, and resenting every word of criticism and every act of resistance. The educational system of Quebec, for instance, having fallen under the control of the clergy,\* is invested by them with a quasi-religious character; and to touch "the sacred arch of education," as Senator Poirier ironically calls it, or to discuss glaring defects and pressing reforms with any degree of frankness requires a good deal of

\*See above, Chapter IV.

courage; the church will at once assume that the criticism is levelled against herself. How, then, will it fare with those who throw discredit on the teaching of the church—as was done impliedly in Bernstein's *Rafale*—or bring to light scandals in the ranks of the clergy themselves? "Prick lightly the skin of an ecclesiastic, even in his first year," said Arthur Buies, "and the whole church puffs out, makes a great noise and launches her thunderbolts."\*

### Section 1.—Censorship of the Press.

To outward seeming, the newspapers of Quebec are permeated with a pious regard for the clergy. Only a practised observer can detect in some of them a subdued, cunningly regulated hostility which, whenever occasion can be found to exhibit it, irritates the church, without giving any decent excuse for the infliction of punishment. Anti-clericalism exists—bitter and implacable in such papers as *Le Canada*; but all that reaches the ear is subterranean rumblings, premonitory of the wrathful, submerging eruption which will come when the crust is broken through.

It is a favorite practice to quote authors whose works appear on the Index. "After so many laws, after so many religions, legislators, prophets, men are still as unhappy and as ignorant as they were six thousand years ago," the notorious *Liberté* quotes from Volney.† "Pernicious writer," comments a clerical organ of Quebec,‡ "and horrible blasphemy against Christianity." When Bernhardt played in Montreal a few years ago, the archbishop urged all Catholics to boycott her. *Le Canada*, however, inserted notices throughout the week, published eulogistic criticisms of all the plays and, after the first performance, placed the archbishop's pastoral letter on one side of the page and a list of the Catholics who ignored it on the other. After the episode at Quebec it remarked:§ "Sarah Bernhardt has been welcomed and acclaimed in all the capitals of old

\*Quoted in *La Verité* (Quebec), 18 February, 1893.

†22 February, 1894.

‡*La Verité* (Quebec), 3 March, 1894.

§7 December, 1905.

Europe as the highest incarnation of French dramatic art. At Quebec they pelted her with rotten eggs." Opportunity for a cleverly veiled sarcasm came when the directors of a leading theatre were forced to make complete submission to the archbishop of Montreal, *Le Canada* congratulating them on their decision, "inspired by the most respectable motives, which everyone will understand."<sup>\*</sup>

The same paper gives much attention to affairs in France, taking occasion to correct the correspondence of *L'Action Sociale* from the columns of the anti-clerical *Débats* of Paris, and giving prominence to a speech which M. Godfroy Langlois delivered before the colony of old-country Frenchmen on the 14th July. "As a Frenchman by descent," he said, "my admiration is for contemporary and republican France; for it is that France which has given to Frenchmen political, civil and religious liberty. . . . We have reason to be proud of her. She has assumed once more her place at the head of the nations, and she is travelling across the pages of history, torch in hand, enlightening humanity."<sup>†</sup> The significance of this may be gathered from the comments of *Action Sociale*:§ "The France of to-day' is officially atheist, and M. Langlois admires her; 'contemporary France' is unfaithful to all Catholic traditions, and M. Langlois is proud of her. . . . We know that the interest which he takes in our schools springs from an admiration of contemporary France' with godless schools; we know his failing for the supremacy of the State over the Church in matters of public instruction." Another Montreal paper, *Le Pays*, enraged the clergy by eulogizing Ferrer—whom *Action Sociale* styled an "odious Spanish anarchist," "a burner of convents" and a "cynical professor of atheism and revolution"—and published an article advocating free, obligatory and lay schools, an article written a quarter of a century before by a man who had afterwards repented and become a member of the Council of Public Instruction.‡

\*3 April, 1907.

†15 July, 1908.

§17 July, 1908.

‡Quoted in *Action Sociale* (Quebec), 12 April, 1910.

Illustrations of this kind might be multiplied without end. Little further do the papers dare to go to-day in their baiting of the clergy. They know that the church, apprehensive over the spread of anti-clerical feeling, is prepared for a fight without quarter, and that it is necessary first to combine and prepare. Moreover, the past holds instructive lessons for them. Especially in the early nineties, when Liberalism, girding itself for the great victory under Wilfrid Laurier, was largely anti-clerical, and hated and harassed by the church in consequence, free utterances were punished in a way which demonstrated clearly the efficacy of the interdict. The most celebrated case was that of the *Canada-Review*.

In 1892 two papers: simultaneously fell under the displeasure of Archbishop Fabre. They were the *Canada-Review* and the *Echo des Deux Montagnes*, a pair of sinners such as have plagued no single diocese before or since. They frequently employed an air of raillery and banter which remind us of the Latin inanities with which Frederick the Great used to provoke his father. "Renan, Michelet and Quinet, three great French celebrities," remarked the *Echo*,\* "will have tombs in the Pantheon before long. This temple of the grateful fatherland is most suitable to these three giants of thought, who will be at home with Hugo, Rousseau and others who already sleep there the sleep of glory." But serious language was used in dealing with the great scandal of the time. Father Guihot, vicar of the church of Saint-Jacques in Montreal, was convicted, not by a regular tribunal, but by revelations which left no room for doubt, of having abused the confessional and committed crimes which, in the language of a clerical paper, "ought not even to be mentioned among Christians. . . . The most charitable mind can have only one sentiment: that of horror. He is not a man, but a veritable monster, the soul of a demon in a human body. Never, perhaps, has a more horrible thing occurred. As a general rule priests who lose their faith and their chastity leave the church, impelled by I know not what remnants of shame. He stayed at the altar."†

This was the language used by *La Verité* after the

\*Quoted in *La Verité* (Quebec), 12 November, 1892.

†Id., 24 September, 1892.

scandal had been well aired in terms which certainly left nothing unsaid and which proclaimed that the clergy as a whole were a band of Guihots. "The time is past," exclaimed the *Canada-Revue*,\* "when the man who wishes to know what goes on behind the grated wickets can be crushed; in face of the ignominies which have been unveiled, parents must themselves establish the confessional and try to find out what has occurred between their families and the priest, of whom it is said to-day, by way of excuse, that 'he is subject to human weaknesses,' that 'he succumbs to temptation like common mortals.' Have the women confessed by nuns, and you will see the number of priests diminish sensibly. Religious vocations will be adopted rarely. . . . And then, have we need of all these female orders? They are presided over and directed by some good father who always ends by being caught in some nasty affair. Yes, our clergy, accustomed to have everything, have finished by believing themselves above the laws, human and divine—especially human." And justifying its interest in the morals of the clergy: "The business of the church is very much our own, since we give it everything, and since what we do not give it takes."

It is little wonder that, having been duly warned in a collective letter signed by the entire hierarchy of the civil province, both papers were finally interdicted.† "We hoped that so solemn a warning would suffice to restore to duty those who had wandered away from it in their writings, without the necessity of having recourse to censures. Unhappily the reply to this charitable lesson was contempt, refusal to obey, new insults, impious levity toward the religious authority and an announcement of the approaching publication of a novel on the Index. That is why we find ourself under the painful necessity of resorting to severe measures and taking more effective means to protect the flock from the perfidious attacks of those who would disperse and debauch them. Invoking the sacred law of God, we condemn, then, by virtue of our authority, two publications printed in our

\*10 September, 1892.

†By Archbishop Fabre. *Canada-Revue v. Mgr. Fabre* (R. J. Q., 6 C. S., 439-440). Also *La Verité*, 19 November, 1892.

diocese, namely the *Canada-Revue* and the *Echo des Deux Montagnes*; and until the issuing of a new order, we forbid the faithful, under pain of a refusal of the sacraments, to print, to place or keep in stock, to sell, distribute, read, receive or to keep in possession these two dangerous and unwholesome sheets, or to contribute to them or to encourage them in any way whatever."

The effects of the interdict were soon felt. The *Echo* issued one last number, in which appeared a funeral monument and the inscription: "Here lies the *Echo des Deux Montagnes*, slain by clerical despotism. Let all friends hold it in sympathetic and faithful memory." It had this parting word for the Archbishop: "You wish to prevent us from saying that half your priests are disgraced subjects, corrupted and vicious; but recent scandals condemn you, and the public is beginning to be convinced that we have raised only the corner of the veil. We know things, my Lord, and we shall write about them sooner or later. Meanwhile we would rather have you break our pens than enslave them." But if the pens were indeed broken, it was strange that *La Liberté* should rise out of the ashes of the *Echo*, the same paper with a new name.† The *Canada-Revue* was directed by men of more determination—Buies, Fréchette and others—who were ready to sacrifice everything before making any surrender. Although only seventeen newsdealers could be found to handle the paper, and although nine-tenths of its circulation was lost,§ publication was continued for nearly a year before recourse was had to the subterfuge of taking a new name.‡ There was no cessation of the attack upon the clergy. "To keep the people—that is to say, everybody—as far as possible in the most absolute ignorance, in the most abject submission, and to shear everybody's back to the profit of darkness," we read some time after the interdict,|| "that is the first credo of every good curé in our dear province of Quebec. That is the instruction, in

\*Quoted in *La Verité* (Quebec), 3 December, 1892.

†The first number of the paper was No. 4 of the third year.

‡*La Verité*, 21 April, 1894.

§*La Revue*.

||3 December, 1892.



its broad lines and in detail, of the French-Canadian episcopate." But what makes the case of the *Canada-Revue* particularly important is not the courage with which it maintained the struggle; it is the fact that its directors applied to the civil courts to determine what their rights in this conflict with the church might be. It was a bold step. In the eyes of the church civil magistrates are not competent to judge bishops in the discharge of their episcopal functions, appeal lying only to the higher tribunal at Rome.\*

The case was decided first in the Superior Court.† It was argued by plaintiff (the publishing company): § first, that the circular of the archbishop contained false and defamatory imputations on the plaintiff and its periodical, publication consequently constituting a libel upon plaintiff itself and being, as regards the periodical, the wrongful publication of a statement calculated to destroy or impair its circulation, and therefore injuriously to affect the plaintiff's pecuniary interests; and secondly, that the prohibition contained in the episcopal circular was a wrongful act, done without right, in excess of any rights or powers defendant could claim to exercise as Roman Catholic archbishop, arbitrarily, illegally, without a cause or reason, in contravention of both civil and canon law, and for the purpose of compassing the ruin of plaintiff's periodical and destroying the company's source of income—a purpose which it had come very near to achieving. The defendant's plea,‡ besides denying the allegations of the plaintiff generally, affirmed in substance that, in issuing the circular, defendant acted in legitimate performance of his functions and within his power and rights as Roman Catholic archbishop; that the circular was a privileged communication addressed to his clergy and read and published by them at meetings of persons subject to his jurisdiction, by the orders of defendant, whose duty it was to protect his flock from reading books and periodicals which, in his judgment, contained doctrines or had

\**La Verité* (Quebec), 10 December, 1892, and 14 October, 1893.

†*La Cie. du publication du Canada-Revue v. Mgr. Fabre* (R. J. Q., 6 C. S., 436-485).

§*Id.*, 440.

‡*Id.*, p. 441.

tendencies opposed to the teaching and discipline of the Catholic church, his jurisdiction in this matter being exclusive and independent of civil courts; that in the performance of this duty he acted without malice and with the moderation permitted by the circumstances and the interest of his diocese, and could not be held responsible for any damages plaintiff might have suffered by reason of the issue of the circular.

Decision was not rendered until nearly two years after the commencement of the action. Through all that time public interest increased rather than abated. At last, in an exhaustive and elaborate judgment, the action was dismissed. Mr. Justice Doherty held:

That criticism and comment, however severe, upon a published work or newspaper, is not a libel, and is not actionable unless it be proved that such criticism is unfair or malicious, and it is for the party complaining of hostile criticism to establish such unfairness or malice.

That every religious body or association in this province has the power to make rules for enforcing discipline among its members, and such rules are binding upon those who expressly or impliedly have assented to them. The courts will not interfere with the exercise of the discretionary powers of such a body in matters of internal government, unless it be shown that it has acted maliciously or in bad faith.

That the laws or rules of the Roman Catholic Church, in the Province of Quebec, are known to the civil courts only so far as they are proved before them; but it being proved in this case that under the laws of the church the archbishop or bishop of a diocese is vested with authority to prohibit the members of that church in his diocese from reading publications which he considers opposed to its teaching or discipline, the defendant, as archbishop of the diocese of Montreal, was in the exercise of a right in issuing a circular prohibiting the members of the church from reading plaintiff's newspaper, under pain of deprivation of the sacraments; and although such pro-

hibition did in fact prejudicially affect plaintiff's interests, yet, in the absence of any evidence of unfairness or malice, it did not constitute any invasion of plaintiff's rights which could give rise to a claim for damages.

This was a hard blow to the publishers of the *Canada-Review*; but they managed to gather funds to carry the case before the Court of Review. Here a second disappointment met them, the court affirming the previous judgment, though modifying the reasons. It was held, in the majority opinion:\*

That there being no charge or proof of malice or bad faith, and the presumption being that the circular letter was issued in the just and lawful exercise of the defendant's authority, it was for the plaintiff to prove by the best evidence, viz., by the production of its paper before the court, that the condemnation was unjust; and although the publication of the circular was prejudicial to the plaintiff's interests, yet, there being no proof that defendant had exceeded his jurisdiction, or had been guilty of any fault toward the plaintiff within the meaning of article 1053 of the Civil Code,† an action for damages based on the issue of such circular could not be maintained.

Judge Taschereau, though concurring in the opinion of Chief Justice Tait, went out of his way to proclaim in vigorous terms the doctrine of the supremacy of the State over the church. The present case, he said, like all others, should be governed by the law of the land. The court could not admit absolute immunity on the part of any ecclesiastic or dignitary, if any rights of third parties were encroached upon, for to civil courts alone belonged the right to decide upon damages caused in this manner. But, on the other hand, a bishop, like any other citizen, was entitled to justice, if he acted

\*R. J. Q., 8 C. S., 195.

†C. C., 1053: "Every person capable of discerning right from wrong is responsible for the damage caused by his fault to another, whether by positive act, imprudence, neglect, or want of skill."

within his legitimate power and did not encroach upon the rights of others.\*

Judge Archibald, the remaining member of the court, read a dissenting opinion. The enactment of the archbishop, he held, imposed a temporal penalty amounting to financial ruin.† The real offence complained of was the publication of the paper. The exercise of the bishop's authority is recognized, so far as the law of England will permit, but no further. In matters of a mixed nature, if the temporal power cannot encroach upon the spiritual authority, ecclesiastical authority cannot in its turn encroach upon temporal power. The bishop had no right to claim absolute and unconditional obedience. . . . Fair reports and criticisms of the acts of a priest could not be said to come within the jurisdiction of a newspaper. The church has its code of laws and bishops are required to act in conformity therewith. Bishops, no more than others, can act in accordance with their mere fancies; they must be governed by the canonical laws.

Quoting extensively from the decision of the Privy Council in the famous Guibord case, the learned judge held that there was nothing to show the existence or force of canon law in the province of Quebec, and, even supposing such existence, the formalities required by the said canon law had not been observed in the present case. The bishop could not prevent the plaintiff from publishing in the future articles which might be commendable in every respect; while telling the proprietors of the *Canada-Revue* that he did not wish to impose the ecclesiastical penalties which they deserved for their conduct in the past, he could not impose the temporal penalty of suppressing their business. On the whole, the learned judge came to the conclusion that the suppression of the plaintiff's journal by the defendant constituted an illegal act for which the said defendant must be held responsible. Reversing the judgment of the court below, he would grant the plaintiff \$10,000, the amount of the capital stock which was totally lost.

\*R. J. Q., 20 C. S., 255.

†R. J. Q., 8 C. S., 199 sqq.

This dissenting opinion and the remarks of Judge Taschereau were little to the liking of the church and modified her natural exultation. "They constitute," said *La Verité*,\* "a deplorable triumph . . . of the ultra-liberal doctrine of the supremacy of the state over the church. . . . We hardly need say that it is an intolerable doctrine." Nevertheless, it was a great victory over anti-clericalism. "The religious history of the country," wrote Archbishop Fabre, "will preserve the memory of this great lesson and of this salutary example given to future generations."† The directors of the *Canada-Review* were not only beaten in the courts, but also ruined financially; they had no resources for an appeal to the Privy Council. Their misfortunes have not been forgotten. No other paper struck down by the interdict has thought it worth while to take its grievances to the courts. Many, preferring life to principle, have averted the thunderbolts by a timely submission. Thus the *Protecteur de Saguenay*, having seen fit to eulogize Laurier's settlement of the Manitoba school question in 1896, was forced by Bishop Labrecque to publish what *La Patrie* described as a "three-column tirade against liberals and Protestants" and an abjuration of the doctrines called liberal-Catholic.§ Yet many heads have fallen since.

Among the unfortunates might be noticed the *Electeur*, organ of the Liberal party in the City of Quebec. Its chief sin lay in the fact that, like the *Protecteur du Saguenay*, it supported Laurier in his Manitoba school policy, while the church opposed him with unexampled bitterness and all the resources at her command. The part which the clergy played in the elections of 1896 will be noticed in the last chapter. Their allies, the Conservatives, were almost annihilated. A few months after the elections an interdict was launched against the *Electeur* by the Archbishop of Quebec‡ and the bishops of Three Rivers, Nicolet, Rimouski and Chicoutimi.||

\*29 November, 1895.

†Pastoral letter of Archbishop Fabre referring to the earlier decision, *La Verité* (Quebec), 9 March, 1895.

§*La Patrie* (Montreal), 2 January, 1896.

‡Archbishop Bégin was then administrator of the diocese.

||*La Verité* (Quebec), 2 January, 1897.

The bishops complained that the paper had denied to the hierarchy the right of interfering in the question of remedial legislation regarding the Manitoba schools and that it had continued in this attitude after its doctrines had been censured by a theologian of the University of Laval. "To that should be added new insults, recriminations and invectives against the bishops who, in the exercise of their right, judged it proper to comment from the pulpit on the last collective letter issued by the episcopate on the occasion of the federal elections. Again the diocesan authority had to intervene and protest publicly against this unworthy conduct. In spite of these reiterated censures, what perfidious insinuations, what falsehoods, what sensational despatches directed to the public to deceive the opinion of readers and neutralize the effect of the episcopal directions!

"Further, the *Electeur* reproduced without any rectifications the pages of a pamphlet\* in which was taught: (1) the right of aggression and armed revolt on the part of subjects against authority, legitimately constituted, but deemed by them tyrannical in its exercise—a doctrine which the church reproves; (2) that a Catholic may and sometimes should, in a matter of politico-religious legislation, take no account of the directions of the bishops, but rather follow the advice of a professional legist or politician—a doctrine manifestly contrary to the instructions of Leo XIII.

"Finally, on the 27th November, appeared an article written, after so many others, with the purpose of masking from the eyes of the people the promises which were made to the electorate; an article which reproduced the doctrines already condemned by the episcopate . . . and denied to the ecclesiastical authority (1) the right to determine the nature, mode and sufficiency of the religious instruction which ought to be given to Catholic children; (2) the right to exact anything or to command anything to ensure the efficiency of this instruction; (3) (from the moment that the civil power should concede a half-hour of religious instruction outside the hours of classes) the right to prohibit Catholic children from attending mixed, atheist or Protestant schools.

\*David's *Le Clergé canadien, sa mission, son œuvre* (Montreal, 1896).

"Therefore, invoking the sacred name of God, and using the powers formally recognized as belonging to our episcopal authority by the tenth rule of the Index published by the Council of Trent, we, archbishop and bishops of the ecclesiastical province of Quebec, prohibit formally and under pain of refusal of the sacraments, the reading of the paper *Electeur*, subscribing to it, contributing to it, selling it, or encouraging it in any way. We extend the same prohibition to all ecclesiastics without exception."

This formidable document sounded the death knell of the *Electeur*, powerful though that paper was as the chosen organ of a dominant party. Its place was taken by *Le Soleil* which was printed in the same form and on the same quality of paper, had the same advertisements and was published in the same offices. "The two papers resemble each other terribly," remarked *La Vérité*.\*

In the same way *Les Débats*, *Le Combat* and *L'Action*, appearing between 1899 and 1904, were terribly alike. They were managed and edited by Edouard Charlier, an old-country Frenchman, who had little knowledge of the limitations placed upon the freedom of the press in Quebec. He spoke violently against "the brutal invasion of the Transvaal" and was not molested. But when he eulogized certain dangerous French authors, opposed the adoption of the Carillon-Sacré-Cœur flag in place of the tri-color, mocked the Syllabus, attacked the memory of Archbishop Bourget at the very moment when his diocese was erecting a monument to him, and ridiculed a letter of Archbishop Bruchési regarding Sunday observance,† he found the church less patient under criticism than the state had been. The paper was interdicted. "Fathers and mothers," the Archbishop wrote in his pastoral letter,§ "would you leave in the hands of your children a poison which might kill them? Evil books, evil papers are, as you know, poison to the soul. Here, especially among the younger generation who are so dear to us and who are so easily exposed to peril, we intend to preserve faith, good habits, religious

\*2 January, 1897.

†A file of *Les Débats* may be found at the Fraser Institute, Montreal. It was a weekly paper.

§*La Croix* (Montreal), 11 October, 1903

practices, love of the Holy Church and respect for her authority. That is why we recently condemned so strongly the evil theatres which are responsible for so many disorders; that is why we work so hard to prevent the profanation of Sunday; and that is why we work to stop the circulation of dangerous newspapers, capable of causing irreparable injury to souls. In consequence, by virtue of our episcopal authority and by virtue of the rules of the Index, we prohibit to all the faithful in our diocese the selling, buying, reading and having in their possession of the newspaper *Les Débats*."

Immediately afterwards M. Charlier launched another weekly called *Le Combat*. "It resembles its brother," cried a clerical organ in Montreal;\* "we are forced to believe in metempsychosis." Indeed, in its short and merry career, *Le Combat* gave good evidence that it possessed the spirit of the departed. It had something very pointed to say about the curé of St. Cunégonde and his sixty-thousand-dollar rectory.† In the mayoralty campaign it opposed the candidacy of M. Laporte, alleging that he was under the archbishop's little finger. "M. Laporte is not a free and independent man. He has prevented the construction of the public library;§ he has deprived our city of a civic hospital solely to please Mgr. Bruchési, who wished neither the one nor the other of these institutions. He consents willingly to let our clergy enjoy a preponderating influence in the city administration."‡ There was no disguise of the fact that the dominating idea of the paper was hatred of the clergy, and that its dearest object was to warn the people against everything that savored of clerical control. Again the archbishop had recourse to the interdict.|| And again, after reading a little lecture to him, M. Charlier managed to transfer the old spirit to a new body. *L'Action*, however, issued only one number.

In the summer of 1909 another Montreal weekly began and ended its life. The gods evidently wished to destroy *La Semaine*; it behaved with almost a mad vio-

\**La Croix*, 17 January, 1904.

†*Le Combat*, 24 January, 1904.

§See below the section of this chapter on censorship of books.

‡*Le Combat*, 10 January, 1904.

||*La Croix* (Montreal), 31 January, 1904.



lence. "How I fear for you, my poor province of Quebec, the impetuous wind which has passed over the Catholic countries of Europe, if your clergy do not stop finally in their course of utter domination. For it cannot be hid: we are reduced to having no more liberty of conscience or liberty of opinion."\* Replying to an attack in *Action Sociale*, *La Semaine* found an excuse to recapitulate all its most obnoxious criticisms: "Have I somewhere maintained that the resources which serve for the erection of churches and rectories, for the foundation of colleges and convents and hospitals, are not those of the priests but those of the people? Have I insisted on the fact that luxury has invaded the ranks of the clergy and that there has been, for some years, a veritable steeplechase among the curés to see who will have the most sumptuous temple? Have I alluded to our over-numerous classical colleges which are in the way of making our people a people of advocates, notaries and doctors—of miscarriages, on account of the overcrowding of the liberal professions? Have I deplored the fact that the French-Canadians are poor and have no industries, mainly because the greater part of their capital is placed in churches, rectories and religious communities? Am I saddened over this truth, that generally one can enter into the hospitals only for a money payment and that the old man who can count on no one for the future has the single recourse of asking the recorder for a few months in prison, as happens every winter? Have I sought to prove that a great part of our capital is drained off by religious communities who send it to the mother-houses in Europe, in countries where the people are just as good Catholics, but less subject to exploitation than here? . . . ." The writer asks what council declared that the church is superior to the State, or has even equal rights with the State in the instruction of the profane sciences.†

An interdict followed as a matter of course. "We stand in favor of liberty properly understood," the archbishop declared,‡ "and there are so many good fights to wage in the interests of truth and virtue. But we saw

\*Quoted in *Action Sociale* (Quebec), 27 July, 1909.

†Quoted in *Action Sociale* (Quebec), 27 July, 1909.

‡Pastoral letter in *Action Sociale*, 2 August, 1909.

from the beginning that *La Semaine* entertained a singular idea of liberty, and that, if it engaged in a contest, it was mainly against the incontestable principles of the Catholic doctrine. The rights of the church were disregarded. Hostile insinuations and accusations regarding religious persons and things found place in several of its articles, and, in its programme it proclaimed independence in all things. The third number has just appeared, and the anti-religious note is more accentuated than in the preceding numbers. In regard to instruction and the rights of the church, the same errors are reaffirmed, and all the reproaches, all the grievances against the clergy and the religious communities—so often refuted—are there brought together in a bundle. The articles turn to banter. The clergy and our most beneficent institutions are treated as real enemies. It is almost word for word the language of the worst papers in Europe. The tactics are the same, the menaces the same, the prophecies of misfortune the same. . . . This is not all. A 'tale,' announced and recommended in the summary of the paper, unworthily outrages morals. It is ignoble pornography, and we ask what is intended by putting before readers lucubrations of such a kind. This is going too far. We must cut the evil at the roots."

So perished *Le Semaine*. *Le Pays*, on which its mantle appears to have fallen, is conducted by experienced journalists, and carries on the war with much greater discretion. It has become tolerably plain that anti-clericalism must do a great deal of burrowing underground before it can emerge into the open and challenge its antagonist with any safety or hope of success.

### Section 2.—Censorship of Books.

The church keeps careful watch over the literature which Catholics read. In the city of Quebec there is no municipal library, though the public have access to the very limited supply of books at the Institut Canadien and to the "Library of Good Books" maintained by the Jesuits. Nor is there any English library, like the Fraser Institute in Montreal, where the prohibited volumes of Sand and Zola (in French) may be procured clandestinely. The character of the leading bookstore

may be gathered from the legend, "Bookstore of the Clergy," which appears on its windows. It makes prominent display of René Bazin, but can offer its patrons very few of the great French novelists, poets, historians and scientific writers of the last half-century. One bookseller, who was hardy enough to supply the works of Garnier and Zola, and who paid no attention to the warnings of the ecclesiastical authority, was prosecuted in the courts. He was sentenced to six months' imprisonment. Protestants, however, interested themselves in his case and secured a commutation of the sentence. When liberated, he joined the Baptist church."

Montreal, with a population of half a million, has no public library. Undoubtedly the church must be held responsible for this. When Mr. Carnegie announced the intention of devoting a large part of his fortune to the founding of libraries in American cities, Mayor Préfontaine represented to him that in Montreal, where the two races were living side by side and being welded into a homogeneous community, a public library with facilities for study on a common basis would provide a new bond of union.† He secured a promise of \$150,000. It remained for the City Council to accept the gift and make the necessary arrangements for the erection of the building and its maintenance. After two years' discussion the gift was accepted, a library by-law adopted, a library committee appointed and a site chosen.§ Apparently, however, the choice of Place Viger was a scheme to get rid of the library altogether, the men who voted for it having good reason to suppose that the provincial legislature would not permit the city to build on a public square.‡ The explanation of this action is to be found in the attitude of the archbishop. "In reading certain papers," he said in an interview,|| "the impression is given that Montreal has no library, that it is an utterly backward city. But I ask you if it is not true that, without costing the people a cent, several good libraries are already open to every-

\**La Verité* (Quebec), 27 October, 1894, and 9 March, 1895.

†*Daily Witness* (Montreal), 30 January and 5 May, 1903.

§*Id.*, 31 January and 7 April, 1903.

‡*Id.*, 31 January, 1903.

||*La Semaine Religieuse*, 2 February, 1903.

body, thanks to individual effort, thanks to the clergy, to the literary societies and the different religious congregations? With half the money which the city will spend in ten years carrying out the present project, we could create intellectual centres which would be important and useful to the citizens. There should be no precipitate action in a matter which affects the intellectual and moral well-being of the people. . . . As archbishop and citizen, I can say to you that when the need of such a library makes itself felt in Montreal, our great and fine city will be too rich, too independent, too legitimately proud to ask it from a foreign millionaire and to submit to the conditions which he places on his favors and his gifts."

After this declaration, which everyone could interpret, the library was obviously impossible. Various proposals were offered with the object of beating a retreat without appearing to do so. Some of the aldermen advised the division of the money between Laval and McGill, although this would have been contrary to the intention of Mr. Carnegie, and McGill had let it be known that she would under no circumstances open her library to the public. "The one thing they are afraid of," said the *Witness*,\* "is a public library, excepting always the safe one conducted by the Jesuits." Alderman Ekers asserted openly that any attempt to maintain a civic library in Montreal would result in racial and religious discord.† "Our Roman Catholic friends have their own standards for judging books—and we have ours. Perhaps the Roman Catholic clergy will exact different standards from those which would satisfy laymen of that faith. Some books would certainly be excluded. There are cranks and extremists in all communities and parts thereof, and some of these would apply for books which they thought should be in the library, and, finding them absent, would protest and make trouble. It would be almost impossible, notwithstanding the greatest precautions, to avoid including some of the indexed books, for such standard works as Renan's *Histoire de France*, *Le Grand Larousse*, Pothier's legal treatise on marriage, consulted and cited

\*Daily *Witness* (Montreal), 7 February, 1903.

†Id., 7 April, 1903.

every day by lawyers, are on the Index. Some day an indexed book is certain to reach the shelves. An edict from the archbishop's palace would follow, and we should have the whole Institut Canadien affair over again." Retreat began to seem more and more advisable. An excuse was found when the new city charter came from the legislature with a clause forbidding the use of any public square for library buildings.\* In May, 1903, the City Council took the whole question into consideration once more and decided to reject Mr. Carnegie's gift.† Said *Le Canada*:‡ "We shall have no public library; the City Council decided so yesterday afternoon. Public libraries are good for cities such as Paris, London, New York, Washington, Baltimore, Toronto, etc., where the people are behind the times and feel the need of improving themselves; but in Montreal, no. We are more progressive than that; the people, the workingmen, have read everything; they are learned and speak like big volumes. They have nothing more to learn, and why make them read any more!?"

In spite of the ignominious collapse of Mayor Préfontaine's project, the discussion was reopened five years later. But at this time the attitude of the church was generally known; and no false steps were made as before. "The question of books and libraries," said *La Presse*,‡ "is too grave and touches too near to educational interests for the religion which is dear to us and the pastors who represent it not to have a word to say in the solution of the problem. . . . For French-Canadians that sums up the whole question." And in commenting on this a Quebec paper added:|| "We ought to respect the principles which are the basis of our educational system. It is not everything to place thousands of volumes in circulation among the people; it is necessary to settle what sort of books should be used. It is not enough to say that we are going to educate the masses; we must be sure that the education given is what is wanted. . . . *La Presse* is perfectly

\*Daily Witness (Montreal), 5 May, 1903

†Id.

‡5 May, 1903.

‡Quoted in *Action Sociale* (Quebec), 17 November, 1908.

||*Action Sociale*, 17 November, 1908.

right in declaring that this library should receive a management giving every guarantee."

There can be no question of the meaning of such language. It meant that no public library could exist in Montreal without clerical censorship. There is nothing strange in such pretensions. The church to-day stands where she stood fifty years ago; and a public library which defied episcopal authority would receive to-day the same treatment which the famous Institut Canadien received then.

The Institut Canadien was founded in 1844 for the purpose of providing a library and reading-room and encouraging literary and scientific interests among its members.\* At the time of its incorporation, eight years later, it had five hundred members and 2,000 books. Membership was open to both creeds and both nationalities. Even after the conflict with the church had begun, eminent men, such as A. A. Dorion, Joseph Drapeau and Wilfrid Laurier, belonged to it. In one year fourteen members were elected to parliament. The enterprise was so successful that more than a hundred similar societies were formed in various parts of the province, opening to the people the only French libraries which existed at that time. If the church had not intervened, the movement would almost certainly have led to a great intellectual awakening and saved Quebec from the torpor which fell upon her writers towards the close of the century. But the church, thoroughly startled by the display of such independent spirit and by the mingling of Catholics and Protestants in such dangerous pursuits, first ruined or secured control of the societies outside Montreal and then attacked the parent organization. In one way this attack worked to the public advantage; for the church was forced to abandon her old policy of keeping books from the people entirely, and to found rival institutions under the supervision of the Jesuits, the Sulpicians or others. Let no one imagine that the existing clerically-controlled libraries in the province of Quebec were given by the church of her own free will.

\*The following facts are drawn from the judgment of the Privy Council in *Brown appellant and the Curé et al.* (23 L. C. J., 228-253) and the *History of the Guilford Case*, anon. (Montreal, 1875).

In 1858, apparently acting under clerical pressure, certain members of the Institut proposed the appointment of a committee to inquire into the character of the books in the library and to remove those which were objectionable. The proposal was rejected. In its stead the majority carried an amendment to the effect that the Institut contained no improper books, that it was the sole judge of the morality of the library, and that the existing committee of management was sufficient. Thereupon the archbishop issued a pastoral letter, in which he praised the conduct of the minority and convicted the majority of falling into two great errors. These were: (1) Their declaration that they were the proper judges of the books in their library, whereas the Council of Trent had declared that this belonged to the office of the bishop; (2) their declaration that the library contained only moral books, whereas it contained books which were on the Index at Rome. Noting that the Council of Trent had decided that anyone who read or kept heretical books would incur excommunication, and that anyone who read or kept books forbidden on other grounds would be subject to severe punishment, he appealed to the Institut to alter its resolution. Otherwise no Catholic could belong to it.

In 1865, after the archbishop had refused to specify the objectionable books, several Roman Catholic members appealed to Rome against the pastoral. They received no answer to their application. But in 1869 the archbishop issued a pastoral letter setting forth the response of the sacred office and a decree of the Sacred Congregation of the Index, condemning the annual report of the Institut Canadien for 1868. Two things especially were forbidden by the decree: (1) To belong to the Institut, which taught pernicious doctrines; (2) to publish, retain, keep or read the annual report of 1868. Disobedience would be punished by deprivation of the sacraments, even *in articulo mortis*.

To ordinary eyes the condemned report was innocent enough. Nothing more objectionable appeared in it than the words of Horace Greeley: "But one religion, love of God and man; and one patriotism, to benefit and elevate the human family." Nevertheless, in its answer to the archbishop the Institut declared that Roman Catholic members would submit themselves to the con-

demnation of the report. That was the limit of concession. It was denied that any doctrinal teaching whatever took place in the society. The bishop, on his side, termed the answer insufficient and hypocritical, mainly because it formed part of a report endorsed by all the members and establishing the principle of religious toleration which, he said, had been the main cause of the condemnation.

That was all. The Institut Canadien soon perished like its daughter-societies throughout the province; or perhaps it may be said to live still, its library having passed into the keeping of the Fraser Institute, where the books are accessible to Catholics. Out of its condemnation arose the Guibord case, a case which finally reached the Privy Council, and there evoked a very important judgment.\* That judgment has frequently been a thorn in the side of the church. Their lordships held:

6. That even if the Roman Catholic Church in the Province of Quebec were to be regarded merely as a private and voluntary religious society resting only upon a consensual basis, courts of justice are still bound, when due complaint is made that a member of the society has been injured as to his rights in any matter of mixed spiritual and temporal character, to inquire into the laws and rules of the tribunal or authority which has inflicted the alleged injury, and to ascertain whether the act complained of was in accordance with the laws and rules of the Roman Catholic church which obtain in the province, and whether the sentence, if any, by which it sought to be justified, was regularly pronounced by a competent authority.

Reference has already been made to the condemnation of Senator David's *Le Clergé canadien, sa mission, son œuvre* at the time of its publication in *L'Electeur*.†

\*20 L. C. J., 228-253. Guibord, who died in 1869, was refused ecclesiastical sepulture as having remained a member of the Institut after its condemnation. His widow applied for a mandamus to compel the curé and churchwardens to accord it.

†See above, p. 107.



The avowed grounds of condemnation were that it maintained the right of rebellion against constituted authority and the right of following the advice of politicians rather than ecclesiastics in matters of politico-religious legislation. As to the first point, the author had referred to 1837—Papineau's rebellion—as the "fatal date which marks the beginning of the intervention of the clergy in politics and the diminution of their prestige."<sup>\*</sup> The church should have shown, he said, that if its duty obliged it to disapprove, at least its sympathies were not with the oppressors of the country. Instead, the bishops denied to the rebels the comfort of the sacraments and refused ecclesiastical burial to those who died without having made proper reparation. "They even went so far, at the cemetery of Côte des Neiges, as to refuse entrance to the remains of Chenier, brave Chenier. Twenty-five to thirty thousand men, assembled in this cemetery to do homage to the martyr of our political liberties, bowed their heads before this affront so as to cause no scandal."<sup>†</sup> He had died, arms in hand, without making his peace with the church. "What interest have we in making it believed that to be good Catholics one must lack heart, courage, virility and suffer all insults, affronts and humiliations rather than ever have recourse to force?"<sup>‡</sup>

As to the second point, Senator David had followed his political leader, Wilfrid Laurier, in attempting to find a solution of the Manitoba School Question. What the church wished to do was to force a separate school system like that of Quebec upon a most unwilling province. The compromise which Laurier offered—permitting religious instruction outside the hours of classes—was opposed with great bitterness. Senator David, in his account of the controversy, was able to convict several of the bishops of violating their own *mandement* and the decrees of the Holy See.<sup>§</sup> He showed how different was the stand which the church took in the discussion provoked by a similar question of schools in New Brunswick a quarter of a century before.|| Several

<sup>\*</sup>Le Clergé canadien, p. 14.

<sup>†</sup>Id., p. 25.

<sup>‡</sup>Id., p. 28.

<sup>§</sup>Id., p. 71.

||Id., p. 92.

bishops had then proclaimed that Catholics, though obliged to accept the principle laid down by the church, were free to choose the means of putting it into practice. The remedy was left to the politicians. The author also quoted the words which the papal delegate, Mgr. Satolli, had used with regard to schools in the United States: "We strictly forbid anyone, bishop or priest—and it is the express prohibition of the Sovereign Pontiff through the medium of the Sacred Congregation—whether in fact or by menaces, to exclude from the sacrament as unworthy the parents who prefer to send their children to public schools."<sup>\*</sup>

Such were the grounds for condemning a book which three Italian theologians passed upon favorably.<sup>†</sup> When, after appeal to Rome, the Sacred Congregation of the Index upheld the condemnation, Senator David obediently withdrew his book from sale with the remark: *Dura lex, sed lex.*<sup>‡</sup> There must always be sympathy for the church when its measures, even though mistaken and oppressive, are dictated by considerations of public morality. But the church was then, as she is now, the ally of one political party and the foe of the other. In the elections she had suffered an overwhelming and unexpected defeat. It was not unnatural, at a time when pique and resentment were burning within her, that she should have used what weapons she still possessed to avenge the humiliation.

The book was written by a staunch Liberal and a patriotic French-Canadian, but by a loyal Catholic as well. A few passages will make this plain. "We must believe that the Catholic church has today, as in the past, the gift of teaching the truths necessary to salvation; and eighteen centuries of superhuman virtues, of unbelievable devotion and of striking miracles render witness in favor of its divine origin and the assistance of the Holy Spirit."<sup>‡</sup> "The Catholic church is no more responsible for the errors and mistakes of its ministers than its divine founder, Jesus Christ, was for the treason of Judas and the weakness of St. Peter. . . . The

<sup>\*</sup>Le Clergé canadien, p. 75.

<sup>†</sup>Le Soleil (Quebec), 28 December, 1896.

<sup>‡</sup>La Patrie (Montreal), 29 December, 1896.

<sup>‡</sup>Le Clergé canadien, p. 8.

political exaggerations of the members of the clergy no more justify a man in rejecting the teaching of the church than their evil actions excuse him in violating the moral laws."\* "The merit of the true Christian is to be wise enough to distinguish between the principles and the abuse, well enough so as not to confound priest and religion. Unhappily, those who can or will make these distinctions are not numerous."† These are evidently the words of a man who could see where the extravagant claims of the clergy were likely to lead them; who wished to keep his religion without surrendering all of his political liberties. "I know to what I am exposing myself," he says, "but I prefer the religion of the Sovereign Pontiff, or rather his manner of teaching and preaching it, to that of Mgr. Langevin or Mgr. Lafêche. I am profoundly convinced that it is more suitable to the men of our time and of our continent."§

### Section 3.—Censorship of the Theatre.

Towards the close of 1905 Sarah Bernhardt played in Montreal and Quebec. This was not her first appearance before French-Canadian audiences. Years before she had roused unbounded enthusiasm and drawn from Frêchette the well-known lines:

. . . Chapeau bas, c'est la gloire qui passe,  
La gloire de la France et la gloire de l'Art.

On the later occasion her plays were denounced from the pulpit, members of her company were assaulted or menaced on the streets, and her farewell sung in insulting lines, evidently composed by a medical student, who attributed to her all known maladies and wished her the rest. Several papers published these verses with evident approval:‡

Va-t'en, juive insolente, au sourire cynique;  
Toi qui vient de jeter l'injure à notre sang!  
Va-t'en montrer plus loin ton front neurasthénique  
Sur qui la vieillesse descend?

\*Id., p. 113.

†Id., p. 114.

‡Id., p. 77.

‡Among them *La Croix* (Montreal), 9 Decr.ber, 1905.

Et quand, ailleurs, vers toi les foules accourues  
 Admireront ton verbe et pleureront d'emoi,  
 Ici nous passerons le balai sur les rues  
 Pour qu'il ne reste rien de toi.

Her repertoire in Montreal included such plays as *La Tosca*, *La Sorcière*, *La Dame aux Camélias* and *Adrienne Lecouvreur*. Considering the general attitude of the church toward the theatre—an archbishop declared formally, in a pastoral letter, that he would view the establishment of a theatre in his diocese with profound sorrow, as a plague, from the moral as well as from the material point of view\*—one can easily imagine what feelings the production of *La Sorcière* would arouse. Denunciations of the hierarchy of the church, even when the scene is laid in the remote times of the Inquisition, are not customary in Quebec. If announcement of the play had been made in time, or if the actress had not been one whom the upper class in a city like Montreal would be bound to see at all hazards, an interdict would probably have fallen upon the theatre. As it was, Archbishop Bruchési urgently besought the faithful not to attend. The pastoral letter was read in the churches the day before the engagement opened and after all the tickets for every performance had been sold.

"For some years," ran the pastoral,† "the theatres have, so to speak, invaded our city of Montreal. In spite of our reiterated warnings, in spite of the demands which we have addressed to them, the newspapers have given, almost every day, favorable notices which have assured success and attracted crowds to these performances. . . .

"It is to accomplish a duty of our charge as Pastor and Father that we raise our voice and signalize the peril with which our society is menaced. It is not enough to say 'menaced'. The evil is established among us and already making ravages. . . . Everywhere the cry is raised, and rightly, that intemperance is our enemy; but the theatre also is an enemy, the enemy of the sane morality which it attacks and enfeebles in the habits of the people, the enemy of our Christian doc-

\**La Verité* (Quebec), 26 January, 1895.

†*L'Événement* (Quebec), 28 November, 1905.

trine and tradition which it often contradicts, the enemy of the principles which make honest and happy families on account of the scenes of passion and criminal love which it continually places before the eyes of the spectators.

"Let no one say that the theatre has nothing inherently reprehensible about it, and that it can even exercise a wholesome moral influence on the people. We are not concerned with theory, but with practice. We take the theatre as it exists, as we have it to-day in Montreal: let those who attend it be sincere; can they say that they have ever left it better men, and that they have found lessons of virtue there?

"Almost all plays of the French repertoires are played here, one after the other. Those that the managers did not dare to offer some years ago—fearing to frighten our 'simple and timid' population, as they put it—are now given without fear, without scruple, without the least expurgation. The melancholy education of the people has been acquired gradually; and did not a certain actress, whose name we would not pronounce, repeat here, just a few months ago, ignoble scenes which she is accustomed to give elsewhere?" . . . . We do not need, in our Catholic city, this kind of literature, these dramas imported from a world where Christian marriage is mocked and where morality and decency are only vain words. Unhappily, too many good families, too many conspicuous citizens attend these spectacles. Their place is not there. They allow themselves to be enticed like all the rest, but they do not dream that they are giving a fatal example. . . . .

"This week one theatre particularly is going to attract crowds. We bitterly regret the programme which has been determined upon. Among the plays which are to be produced there are evil and culpable ones. The talent, the genius in execution and interpretation will only increase the danger. Therefore we beg our pious families, still so attached to duty and virtue, to be on their guard, to abstain from what they know would be for them an occasion of sin, and to prefer above everything the honor of the fireside and the salvation of their children's souls."

\*Evidently Réjane.

Although this appeal may have acted as a deterrent in some cases, it was not generally observed. Each performance was a social event; and in such matters the upper class in the city are not as tractable as the peasants in the country. *Le Canada* impertinently gave the names of prominent citizens who witnessed *La Sorcière*. Everywhere it was felt that the archbishop had met with a rebuff. He recognized it himself in a second pastoral letter.\* He declared that, while many had sacrificed their tickets to fulfil his desires, yet "unhappily a great number of others took no account of our word and went to the dramas in which the church is insulted and Christian morality trampled upon. The excuse was given that the pastoral warning came too late. Sad excuse, truly. . . . It was said also that these plays were interpreted by an artist of incomparable talent. Did that render them less evil and less fatal? Ah, how illogical the intellects, how superficial the religious convictions in certain minds! We defy the most brilliant of orators and the most celebrated of actresses to come here, in our city, and mock our history and insult the honor of the Canadian name. They would receive, not applause, but hisses. Patriotic sentiment would be wounded. . . .

"At the theatre no one would permit an attack on our country or on the memory of our great men. But in this case it is simply the church which is insulted, whose history is travestied, whose blessed influence throughout the ages is forgotten; it is simply morality whose sacred laws are held in contempt; the scenes offered to the spectator are after all only scenes of criminal passion, of vengeance, of jealousy, of murder or of suicide. Is it necessary to be so scrupulous as to be afraid and to stay away? The evil is shown with the seduction of genius; is that not a sufficient reason for contemplating it or for acclaiming the action or the actress who parades it before our eyes? Alas, this is a state of mind which is painful to note. . . .

"There exists in this city a theatre where one of the most obscene representations has recently been offered and where dramas of most depraved taste are frequently played without scruple. . . . Let the managers of

\*L'Événement (Quebec), 5 December, 1905.

that theatre remember that the Criminal Code of Canada severely condemns such theatricals. It being their duty to protect good morals, the civil authorities are under the grave obligation to watch and act; we take the liberty to remind them of this. For our part, acting with our episcopal authority, we to-day give warning to these directors that if they continue on the path on which they have entered, we shall use against them measures of a moral order which may perhaps prove still more effective than the laws of the State. We shall not hesitate to do our duty, and we shall then know who are willing to be submissive sons of the church and who scorn its commandments and morality."

It was with regard to this theatre, the Nouveautés, that Archbishop Bruchési found opportunity to recover his lost prestige. After being severely reprimanded on account of an objectionable production, the proprietor gave his word of honor to the archbishop that no immoral play would ever be given in the theatre again.\* Not long afterwards Bernstein's *La Rafale* was announced. This play, in the language of the archbishop,† "is nothing but a display of low sensuality and an apology for suicide." The theatre was promptly interdicted, not only for the week during which *La Rafale* was to run, but indefinitely.

All the French papers abstained from criticism of the play.§ An audience which was almost entirely English attended on the first evening; on the second the doors were closed. On Wednesday the manager wrote to the archbishop asking to have the interdict removed. In reply the archbishop said that though his pastoral letter had been read in the churches on Sunday, yet the directors gave *La Rafale* on Monday. "If on Sunday last you had taken the steps adopted last night, you would have found me full of good-will, you would have spared yourself trouble and you would not have given occasion for what appears to me a real scandal. . . . Since, however, you now admit your error and give me a solemn assurance of your good disposition for the future, I consent to remove the interdict mentioned in my

\*Daily Witness (Montreal), 1 April, 1907.

†Id., 3 April, 1907.

§Id.

letter, on condition that the posting of your plays be approved by a committee of censors." So, tamed by a board of ecclesiastical censors, the Nouveautés ceased from troubling.\* It has since given up being a real theatre altogether.

In Quebec, Bernhardt betrayed herself into the hands of the church. Her famous interview, published in *L'Événement*,† added racial animosity to religious, and gave to her enemies a questionable triumph. "'Quebec,' she said, 'Ah, yes, it is a fine city, very fine; and Canada is a fine country. I came here fifteen years ago—no, nine years—or rather—.' 'In 1881,' interrupted her manager, Mr. Meyer.

"'I have no memory for dates,' continued Mme. Bernhardt. 'No matter, I love Canada. It is the finest country I have ever seen. But I understand nothing about your people. You have English Canadians, French Canadians and Iroquois Canadians. But will you tell me why you are called French-Canadians? French, you others? But why? You have hardly a drop of French blood in your veins.

"'You have a fine country, but that is all. For the last twenty-five years agriculture has prospered, perhaps, but what else? You have no painters, you have no writers, you have no sculptors, you have no poets—Fréchette, perhaps—and another young man—. But, bless my soul, you have no men, you have no men.' Someone mentioned the name of Laurier.

"'Laurier? Laurier? Oh, yes; I heard something about him the other day from someone who was here.

"'It is for you journalists and for the students to prepare the future and to form the tastes and habits of the country. But men who come to teach the students are insulted. It was at Montreal that a lecturer who came to talk of science and religion was hounded by the students.‡ Ah, but do you understand what progress is? You have progressed in twenty-five years—but backwards.'"

Reference was then made to an article in *L'Événement*, holding up to obloquy the plays which were to be

\*Daily Witness (Montreal), 3 April, 1907.

†L'Événement (Quebec), 5 December, 1905.

‡M. Mago.



produced in Quebec. " 'Ah, yes, I understand that you are under the yoke of the clergy here.' 'But,' someone ventured, 'the clergy have done much for the French-Canadians.' 'I suppose,' the comédienne continued slyly, 'that you owe to them this progress backwards which makes you resemble Turkey.' "

The interview was published on the second and last day of the engagement. Coming on top of the denunciation which had been read in all the Catholic churches of Quebec and Lévis the previous Sunday,\* it roused in some young men of the city both religious and patriotic resentment. This they determined to exhibit in the form of hoots and rotten eggs when Sarah should emerge from the Auditorium after her last performance. But the police were there before them. According to one account† about two hundred of the conspirators remained outside the theatre; an egg was thrown, an actor hit, though Sarah herself was not molested. At the railroad station, however, there was a larger crowd—and no police. As the members of the company drove up, ice and snow were thrown, and an actress injured. Growing in numbers, the crowd divided, half cheering and protecting, half hooting and throwing ice. And again Sarah herself came through unscathed. The police report made the incident less serious.§ According to it there was no ice, no eggs, no injuries, and Sarah laughed at the cry, "Down with the Jews!" saying that she was a Roman Catholic. Her own telegram to Sir Wilfrid Laurier‡ and the version which she cabled to *Le Figaro*|| are extraordinary, though doubtless unintentional misrepresentations.

After this episode the weight of ecclesiastical displeasure fell upon the Auditorium. Before the month was out Archbishop Bégin laid it under interdict,\* and although the interdict was lifted for a time, when the theatre came under new management, it was reimposed in 1908 as a result of the performance of *La Tosca* by a

\*L'Événement (Quebec), 4 December, 1905.

†Telegraph (Quebec), 6 December, 1905.

‡La Croix (Montreal), 9 December, 1905.

§La Croix (Montreal), 9 December, 1905.

||La Verité (Quebec), 30 December, 1905.

\*Id.

Montreal stock company.\* In Quebec, then, as in Montreal, the visit of Sarah Bernhardt had unfortunate results from the standpoint of the theatre; but it must not be supposed that this was the only occasion on which the church has exercised her censorial powers. As long ago as 1894 Archbishop Bégin interdicted a theatre in Quebec;† as recently as 1906 Archbishop Bruchési interdicted a theatre in Montreal.‡ And London grumbles over Mr. Redford!

In the former case there were some protests, the ill-fated *L'Electeur* declaring:§ "A whole people cannot be deprived of recreation and amusement. It is inherent in human nature. Austere persons who are opposed to this worldly feeling do not stay in the world; they join religious orders." But in the latter case, intimidated by episcopal threats, the press was altogether silent or else spoke with approbation. The fact is that the French drama has been killed in Quebec.

\*Daily Witness (Montreal), 6 April, 1906.

†La Verité (Quebec), 28 December, 1894.

‡La Verité, 22 May, 1906.

§14 January, 1894.

## CHAPTER VI.

### *Clerical Control of Marriage.*

Section 1.—The Prohibition of Mixed Marriages.

Section 2.—Church Law in the State Courts.

The question of marriage in the province of Quebec demands consideration here for several reasons. In the first place it shows the church as the preserver of the French nationality against the ravages of assimilation. In her own interests the church has taken strong ground against "mixed marriages"—marriages contracted between Catholics and Protestants. Without dispensation, they are absolutely forbidden; and in Montreal, where the two religions and the two nationalities are brought into closest contact, the archbishop has given warning that such dispensations can no longer be obtained. In the second place, civil law has been colored by ecclesiastical law, and the courts have undertaken to act in obedience to episcopal decrees. Thus divorces (which may be granted by the Dominion Parliament and by the courts of four of the provinces)\* are not permitted by the Civil Code of Quebec. "Marriage," it says,† "can be dissolved only by the natural death of one of the parties; while both live, it is indissoluble." To give another example of the adoption of ecclesiastical law, article 127 of the Civil Code provides that : "The other impediments recognized according to different religious per-

\*See the Law of Divorce in Canada (*Revue légale*, VII., n. s., 421). The regulation of marriage and divorce is among the powers given to Parliament by the B. N. A. Act, 91, xxvi. Previously divorce courts existed in the three Maritime Provinces and British Columbia; no legislation affecting them having been passed by Parliament, they still continue to exercise their functions. In British Columbia some judges will hear applications for divorce; others will not. Between 1867 and 1888 the provinces granted 109 divorces, Parliament 26.

†C. C., 185.

suasions, as resulting from relationship or affinity or from other cause, remain subject to the rules hitherto followed in the different churches and religious communities. The right, likewise, of granting dispensations from such impediments appertains, as heretofore, to those who have hitherto enjoyed it." Moreover, down to the year 1901 it seemed thoroughly established that, in deciding on the validity of an alleged marriage between two Catholics, the courts should be guided by the decision of the competent ecclesiastical tribunal, and reserve to themselves only the right of pronouncing as to the civil effects.

### **Section 1.—The Prohibition of Mixed Marriages.**

Visitors have often remarked how slight is the social intercourse between the French and English, especially in Montreal. Difference in language, difference in nationality and the wish to keep free from English influences partly account for it. But more weight must be given to the fact that the church prohibits intermarriage, and therefore discourages the social intercourse which might lead to it. Though helping to protect the French, this attitude springs from a natural anxiety to guard the faithful from contamination.

"But why, then, does the church display such severity?" asks Archbishop Bruchési.\* "It is because she understands the deplorable results of mixed marriages, and judges them prejudicial to domestic happiness, to the eternal salvation of parents and children. By its very nature, marriage establishes between husband and wife the most intimate relations. According to Holy Writ it unites them so that they are one person. But what intimacy can there be between two beings who have neither the same ideas nor the same feelings on the fundamental question of religion; who never pray together, who go to different churches, who have contradictory practices even in sickness and death? By agreement they will keep silence on all that touches the dogma and discipline of the church; and then religious indifference, with its destructive influence, installs itself in the home; or else there will arise discussions,

\*Pastoral letter read in all the parishes of the archdiocese of Montreal. *La Verité* (Quebec), 23 November, 1907.

painful controversies, out of which the Catholic faith will not always, perhaps, issue victorious. This faith, so firm at first, will run great risk of being enfeebled, and will finish, perhaps, by perishing completely. Statistics on this subject, gathered in other countries more than in our own, reveal to us melancholy defections. Will not what has happened elsewhere be repeated here?" (Those who have seen Tipperary priests descended from Cromwell's Ironsides will think that Catholicism has sometimes gained by mixed marriages.)

The chief concern of the church, however, is with the children of these marriages. It is a formal rule of the church that they shall be baptized and brought up in the Catholic faith, the non-Catholic party making the required promise.\* That promise is not always observed.† There is sometimes a compromise to the effect that the boys should be of the father's religion and the girls of the mother's. "What inconceivable error!" exclaims Archbishop Bruchési. "As if there were two Gospels, two symbols, two churches according to sex. . . . But even supposing on one side the most favorable disposition, and on the other the most energetic determination to be faithful to sacred duties, the education of the children still remains very compromised. For the success of an undertaking so difficult and so delicate the efforts of both father and mother are certainly necessary. But in mixed marriages the Catholic party—generally the mother—far from being aided and supported by her husband, will have against her, at least in most cases, his passive influence. What zeal can we expect in a Protestant father for bringing up his son in a religion which he himself disdains or does not accept? . . .

\**La Verité* (Quebec), 7 December, 1907. Pastoral letter, *La Verité*, 23 November, 1907.

†In 1907 an Ontario court refused to compel a Protestant father to allow the Catholic mother to send their children to a separate (Catholic) school. *La Verité* (Quebec), 7 December, 1907. This paper calls it a "deplorable judgment," and hopes that it "will not make jurisprudence."

"The children will soon remark the contradictions which exist between the religious acts of the father and of the mother. They bear towards both parents an equal love. But which, then, of the two is right? Which should they follow and imitate? What the mother proposes to them as a sacred obligation or a venerable practice is neglected, ridiculed, perhaps despised by the father. One religion appears larger and easier than the other. It requires neither attendance at mass nor abstinence on Fridays nor fasting nor confession. It speaks nothing of rosaries or of scapulars or of hard observances. And yet it does not prevent one from being good, honest, generous. Why not embrace it? What would not be, in the long run, the effect of these thoughts on the mind and heart of a young girl, or even more in the case of a young man? He will end by adopting the religion of his father."

It is evident from this pastoral letter of the Archbishop of Montreal that the tendency toward mixed marriages has become more and more pronounced—probably the result of those economic conditions which are breaking down so many other barriers. It is also evident that these alliances have seldom "worked out to the glory of God and the conquest of souls." The same view was taken by the fathers of the First Plenary Council of Quebec, in 1910. "Another peril menaces the Catholic faith in this country, and is becoming a veritable social plague: we refer to mixed marriages. The church has always strongly opposed them because she considers them prejudicial to religion. A long and sad experience proves that she is right. Such marriages often bring about the perversion of the Catholic party and render the Catholic education of the children difficult. Also, when we look for the cause of the over-numerous defections which have afflicted the church, in Canada and elsewhere, it appears that a very large number are due to mixed marriages."\*

Although in the eyes of the church, as well as in the eyes of the state, mixed marriages are valid, even when

\*Pastoral letter of the Fathers, etc. *Action Sociale* (Quebec), 11 April, 1910.

celebrated before a Protestant minister,\* the church pronounces excommunication against any of its members so contracting a marriage;† and no curé may officiate unless an episcopal dispensation has been granted. Such dispensations are granted reluctantly and under severe restrictions. "When for very grave reasons the church tolerates mixed marriages," says Archbishop Bruchési,§ "she does it only with the greatest regret. She does not permit the celebration in a church; all blessings, all acts of worship, all religious ceremonies are banished from it. It is reduced to a cold formula—by which the parties take each other mutually in wedlock. The church wishes to participate as little as possible; and the priest takes part as a sad and silent witness." Pledges are also required, as noted above, in regard to the religion of the children.

Of course the strictness of the church varies according to the nature of each particular case. Where the marriage is certain to occur, even in face of the severest ecclesiastical penalties, concession is frequently made, sometimes for a pecuniary consideration. This is true in those parts of the province where the dominance of the French nationality and the Catholic religion makes the future of the children fairly safe. But in other parts, where that dominance does not exist, a growing fear of the consequences of mixed marriages may be observed. In 1907 the Archbishop of Montreal instructed the priests of his diocese to warn their parishioners "that we will no more, as in the past, accord dispensations for mixed marriages. Let them not hope to obtain these dispensations because they bring forward the weighty reasons of temporal advantage and mutual

\*Judge Archibald, in *Delpit v. Côté* (R. J. Q., 20 C. S. 345), quotes from a pastoral letter of Archbishop Bruchési: "The marriage of a Catholic and a baptized Protestant, celebrated before a Protestant minister, though gravely illicit and calling down the censures of the Church, is, however, a marriage contracted in a valid manner." But a different view was taken by Judge Lemieux in the case of *Durocher v. Degré* (R. J. Q., 20 C. S., 502-3). His opinion, accepted by the commentator Langelier (*Cours de droit civil*, Montreal, 1905), under article 127 of the Code, would make mixed marriages impossible without dispensation.

†*La Semaine Religieuse* (Montreal), 8 April, 1901.

§Pastoral letter, *La Verité* (Quebec), 23 November, 1907.

affection, or because they would dare to assert the determination of calling in the services of a minister of another denomination. We remind you that excommunication lies against every Catholic who tries to contract a marriage before an heretical minister, and that in our diocese we have reserved to ourselves and to our vicar-general the right of absolving from such a sin." The congregations are to be reminded of this matter twice a year.\*

It is obvious that such a policy would be difficult to enforce were Catholics and Protestants allowed to mingle socially. The First Plenary Council of Quebec urged parents to keep their children free from dangerous association with Protestants.† "Catholics who understand their duties and responsibilities towards their children," Archbishop Fabre declared some years ago, "should aim at cutting the evil at the root by not favoring these too intimate relations with the Protestants. If they do not place their hands there at the beginning, they will have something to repent later, and will bear before God the weight of their negligence in such a grave matter."§ His successor, Archbishop Bruchési, has spoken in the same sense. "We know well that our present social conditions necessitate contact with persons strange to our faith. But is not this contact too frequent and too intimate in certain places? Does it not seem to be sought without consideration of the consequences which it may have for the young people? . . . Yes, dear fellow-workers, insist particularly on this capital point in your instructions and your advice to mothers. Let them forbid their young daughters to enter into these relations, and oppose them from the beginning. After continuous visits, tolerated for months and years, what will their observations and their reprimands avail? When once the heart is strongly attached, all reasoning is fruitless."‡

The church, then, tries in every way to discourage mixed marriages and severely punishes their celebration before Protestant ministers. That is all. Their

\*La Verité (Quebec), 23 November, 1907.

†Action Sociale (Quebec), 11 April, 1910.

§Quoted by Archbishop Bruchési, La Verité (Quebec), 23 November, 1907.

‡Pastoral letter, La Verité (Quebec), 23 November, 1907.



validity is in no way disputed, in no way held to depend upon ecclesiastical regulations. It is only when both parties to a marriage are Catholics that the church sets up her full pretensions, holding that the tie itself is entirely religious and outside the competence of any civil court.

### Section 2.—Church Law in the State Courts.

The position of the church regarding the marriage of Catholics is resolute and uncompromising. She reserves to herself exclusively the right to determine if both of the parties are really Catholic.\* That point settled in the affirmative, the marriage is regarded as a sacrament and as beyond the jurisdiction of the civil power. The ceremony cannot take place before a Protestant minister or a civil official. "In order that a marriage between two Catholics should be valid in those parts where the Council of Trent has been published, the presence of the proper curé and two witnesses is required. Whatever may be the disposition of the civil law on this subject, a marriage celebrated before a priest who is not the curé of at least one of the contracting parties, or a priest delegated by the curé or the Ordinary, is null of full right."† The state cannot establish impediments to marriage or grant dispensations from the impediments established by the church.‡ "All marriages contracted with an invalidating impediment of ecclesiastical law, if dispensation has not been obtained from the competent religious authority," Archbishop Bruchési has declared, "are null from the beginning."‡ Conversely, a marriage sanctioned by the church will prevail against "all the laws of parliament and all the decisions of the tribunals proclaiming divorce."|| What, then, remains to the state? Its functions, in making laws and applying them, must be

\*Pastoral letter quoted in *Delpit v. Côté* (R. J. Q., 20 C. S., 345).

†Pastoral letter, *La Semaine religieuse* (Montreal), 8 April, 1901.

‡Pastoral letter quoted in *Delpit v. Côté* (R. J. Q., 20 C. S., 345).

§Id.

||Pastoral letter, *La Semaine religieuse* (Montreal), 8 April, 1901.

limited to the civil effects of the marriage; that is, to those effects (relating to marriage portion, right of succession, etc.) which are separable from the substance of the contract or the sacrament. "They are within the domain of the secular authority, which can legislate and adjudge in these matters, provided that its laws do not affect the marriage tie or the things which necessarily concern that tie."<sup>\*</sup>

The church does not hesitate to act on her principles independently of the civil power. Many instances might be given. A particularly famous instance—famous because of the action taken subsequently by the Superior Court—had to do with the marriage of two Catholics before a Unitarian minister in 1893. Edouard Delpit, appealing to Archbishop Bégin on the ground of clandestinity, had the marriage declared null; and when this decision was confirmed at Rome, the archbishop proclaimed that the parties were "free from every matrimonial bond, and that they may, if they think fit, enter into new marriages."<sup>†</sup> Nothing could illustrate more clearly the claims of the ecclesiastical authorities. The civil courts are altogether excluded from deciding as to the validity of a marriage. They are limited to the inquiry as to whether the civil effects are to be declared null, in whole or in part, as a result of the annulment of the marriage by the church. Granting the premises, these claims are logically sound; but they sometimes work hardship on account of the uncertainty of the law or ignorance of it on the part of those who wish to contract marriage.

The Civil Code lays down certain specific impediments to marriage—which also exist in the ecclesiastical law of the Catholic church—forbidding, for instance, the union of uncle and niece, aunt and nephew.<sup>§</sup> These are civil impediments and cannot be dispensed with by the ecclesiastical authority.<sup>‡</sup> The Code also gives legal force to the impediments recognized by the different churches as resulting from relationship or affinity or

<sup>\*</sup>Pastoral letter quoted in *Delpit v. Côté*, 345.

<sup>†</sup>*Delpit v. Côté* (R. J. Q., 20 C. S., 343).

<sup>§</sup>C. C., 126.

<sup>‡</sup>Langelier, *Cours de droit civil* (Montreal, 1905), vol. I., p. 259.

from other causes, and at the same time concedes to the churches the right of granting dispensation from them.\* Marriages must be solemnized by a competent officer. "All priests, rectors, ministers and other officers authorized by law to keep registers of acts of civil status are competent to solemnize marriage. But none of the officers thus authorized can be compelled to solemnize a marriage to which any impediment exists according to the doctrine or belief of his religion and the discipline of the church to which he belongs."†

These provisions have raised a number of nice legal questions. Does the law intend to say that the ministers of each religion are competent merely to solemnize the marriage of members of their own church? Or is no distinction made as to the religious tenets of the persons married? If the latter construction is right, then the Catholic church loses coercive jurisdiction over its members in the matter of marriage. Must a presumption in favor of marriage yield to the presumption in favor of the parties having continued to profess their particular faith? If not, an alleged apostasy would be sufficient to secure immunity from the jurisdiction of the church. Should the civil courts await the decision of the proper ecclesiastical tribunal as to the validity of a marriage before pronouncing on its civil effects? Or should they act independently, demanding proof of the alleged impediments? It is only one step further to ask: Is marriage a civil tie, the obligation of which has been reinforced by religious considerations, or is it primarily a religious tie? That question would not have been taken very seriously before the close of last century. It was brought into sudden prominence in 1901 by the celebrated decision of Judge Archibald in the case of *Delpit v. Côté*,‡ a decision which broke free from the prevailing jurisprudence, and which, through the force of its argument, through its reliance on broad principles of law, must leave its impress on the jurisprudence of the future.

Previously the attitude of the courts had been all that the church could wish. They not only limited their

\*C. C. 127.

†C. C. 128, 129.

‡R. J. Q., 20 C. S., 338-394.

assertion of jurisdiction to pronouncing on the civil effects, but also held that the validity of the marriage must be passed upon first by the religious authority. The leading case is *Lussier v. Archambault*, an action brought before the Superior Court in 1848 for the dissolution of the marriage on the ground of impotence (a cause of annulment recognized by the civil law). The decision was rendered up to the last limits of the doctrine of the Catholic church, the case being suspended until the ecclesiastical authority should pronounce on the validity of the sacramental tie.\* During the next fifty years other cases were decided similarly.† Of these, *Laramée et al. v. Evans*‡ deserves particular notice because it had to do with the same question which was so differently decided by Judge Archibald twenty years later—the marriage of two Catholics before a Protestant minister. The court held:

1. That in the Roman Catholic church, of which the full and free exercise is recognized by our laws, marriage is a spiritual and religious tie, over which the Superior Court has no jurisdiction.

2. That our law has not established civil marriage, but that it gives civil effect to a religious marriage validly celebrated by curés and ministers regularly ordained according to the rites of their respective churches and authorized to keep registers of baptisms, births and burials.

3. That the Superior Court, where two Roman Catholics have been married by a Protestant minister, has the power to refer to the Roman Catholic bishop of the diocese of the parties the decision of the question of the validity or nullity of the spiritual or religious tie of the marriage, in order that, after the decision shall have been

\*11 L. C. J., 153.

†Vaillancourt v. Lafontaine, 11 L. C. J., 305; Langevin v. Barrete, 4 R. L. 160; Laramée v. Evans, 24 L. C. J., 235; Cross et al. v. Prévost et Dame Wilson, R. J. Q., 15 C. S., 184; Tremblay v. Terrill, 6 R. de J., 143; but see also De Grammont v. La Société, etc., R. J. Q., 16 C. R., 532.

‡24 L. C. J., 235.

reported to the court, it may pronounce on the civil effects resulting from the validity or nullity of such a tie.

4. That according to the jurisprudence of the country, the sentence of the Roman Catholic bishop, regularly pronounced, and deciding as to the validity of the spiritual and religious tie of marriage between Roman Catholics, can and ought to be recognized by the Superior Court.

Such was the interpretation of the Civil Code generally accepted at the time when the case of *Delpit v. Côté* came before the Superior Court.

Reference has already been made to the facts of this case. The parties, though both Catholics, had been married before a Unitarian minister in Montreal.\* The plaintiff, claiming that, in accordance with ecclesiastical rules, the marriage should have been celebrated in a Catholic church and before the proper curé, secured a decree of nullity from the archbishop. He then demanded—and in the light of precedent had every reason to expect—annulment by the court as to the civil effects. The court took a very different view, a view which was received with consternation by the clergy.† It held that "the marriage upon a license of two Roman Catholics by a Protestant minister is not illegal as having been solemnized by an incompetent functionary."‡ Judge Archibald said:

The law of marriage existing in the country under the French régime, before the cession of the country to England, provided that no person could be married otherwise than by his own proper curé in his own church, and that persons not professing the Catholic religion could not be married at all without submitting to that religion. The English law of marriage as introduced into the country considered (probably) that a contract between a man and a woman capable of being married, to take each other for husband and wife,

\*R. J. Q., 20 C. S., 338-394.

†See remarks of Archbishop Bruchési in *La Semaine religieuse* (Montreal), 8 April, 1901.

‡R. J. Q., 20 C. S., 338.

respectively, followed by co-habitation, was a valid marriage for all purposes, without the intervention of any priest or minister of religion. . . . In any event, it is certain that the English common law regarded such a marriage as creating an indissoluble bond which authorized either party to compel its subsequent solemnization. . . . No distinction could be made as to the religion of the parties married, as persons belonging to the Church of England could be legally married before a Catholic priest, and *vice versa*. These provisions of the common law of England were absolutely incompatible with the law previously prevailing in the province, and would upon the cession take the place of the previous law, and be available for all subjects, old as well as new.

Since 15 Victoria, chapter 105 (Can. Stat.), which declares it to be a fundamental principle of colonial legislation that all religions are to be absolutely free and equal, the law of this country considers the holy orders of the different churches as equally valid, and thus, in this country, the ordained ministers of every church would have equal authority to solemnize marriage. Thus, then, before the Code, any ordained minister could validly receive the consent of any man and woman to marriage, without distinction of religion.

Marriage is a contract of natural law, and belongs to the whole population, whether Christian or not Christian, and the law, in making regulations concerning the same, intended to provide for the contract of marriage in such a way that all could avail themselves of it, and intended to secure only as a matter of public interest that marriage should be publicly solemnized, and that authentic proof thereof should be preserved; but did not intend to limit the freedom of the members of the different churches to profess or not to profess any particular religion.

Laws relating to marriage are always to be

interpreted in favor of the validity of marriage, especially where there has been continued cohabitation as man and wife.

The articles of the Code concerning the question of the competency of the public officer who solemnizes the marriage make no distinction as to the religious tenets of the persons married. No distinction founded upon such a question is necessary to secure the objects of the law as above stated. To infer such a distinction would be contrary to the principle above stated of presumption in favor of the validity of marriage; to infer such a distinction would render it impossible for non-Christians to be married legally, and would thus deprive the law of its pretended universal application; to infer such a distinction would even nullify marriages of persons, one of whom was a Christian and the other a non-Christian, or even of persons belonging to different religious organizations.

The licenses for marriage are an exercise of the royal prerogative, and while they cannot be exempt from the execution of any laws, they can and do cover any obstacles arising from particular rules of religious organizations, all of which organizations are subject to the supremacy of the Sovereign.

The presumption in favor of marriage is not the same as the presumption raised with regard to other facts, but is much stronger. The evidence for the purpose of repelling it must be strong, distinct, satisfactory and conclusive. A presumption of this sort in favor of marriage can only be negatived by disproving every possibility. (*Peers v. Peers*, 2 H.L.C., 331.) Thus, in the case of persons who had previously professed the Catholic religion going before a Protestant minister for the purpose of being married, any presumption in favor of their continuing to profess their religion would yield to the stronger presumption in favor of the validity of the marriage.

By the change of sovereignty the functions of every previously existing court ceased, and could only be re-established by an exercise of the power of the new Sovereign. No ecclesiastical courts have ever been created since the cession of this country.

All religious organizations in the country are purely voluntary organizations and have no coercive jurisdiction over their members.

Marriage is a civil tie, the obligation of which has been reinforced by considerations relating to religion; but these are only accessory to the contract, and if the civil tie be involved, the religious obligation necessarily falls.

No ecclesiastical authority has the right to exercise any coercive jurisdiction with regard to the validity of the marriage tie, although it may enquire into such a question for the purpose of regulating the relations of its members to itself in accordance with the rules of discipline, and under the express or implied contracts by which such members are bound to it. The decree, therefore, of the ecclesiastical authority in this case, purporting to annul the marriage tie between plaintiff and defendant, is itself a nullity.

Certainly this decision stands out in complete contrast to the jurisprudence built up by such cases as *Lussier v. Archambault* and *Laramée v. Evans*. It brought a dignified protest from the lips of Archbishop Bruchési and a re-statement of the extreme Catholic doctrine.\* His Grace suggested that, if necessary, a remedy could be found in new legislation. That was in April. In May, when the case of *Durocher v. Degré*† was decided by Judge Lemieux, it appeared that a more convenient remedy had already been found. "The honorable Judge Lemieux has merited well of his country," exclaimed Abbé Auclair. "We felicitate him cordially and respectfully."§

\*Pastoral letter, *La Semaine religieuse*, 8 April, 1901.

†R. J. Q., 20 C. S., 456.

§E. J. Auclair, *Le Mariage clandestin des catholiques devant la loi du pays*, Montreal, 1901.



There is, however, no reason to suppose that Judge Lemieux felt himself acting as the champion of the church, or that he was influenced directly or indirectly by clerical pressure. As he remarked himself,\* apprehensions and susceptibilities are too easily alarmed over quasi-religious questions. There was no new principle introduced into his opinion. He simply went back to the principles which Judge Archibald had attempted to overturn, though he did not go back the full distance and postpone his judgment until the ecclesiastical decision had been given. The court held:

1. That the marriage of parties celebrated by a priest or minister professing another worship than that to which the parties belong is null.

2. That if before the putting into effect of the Civil Code, any church established for its members a matrimonial impediment, and if the marriage be celebrated contrary to the law decreeing such impediment, the tribunal should, on suit for the nullification of the marriage and on proof of this impediment, annul the marriage for civil ends only.

3. That in the circumstances, the parties (Roman Catholics) having, during their minority and without the consent of their parents or the publication of the banns, left their domicile in Quebec and been married by a Protestant minister in the United States, this marriage is null for having been contracted (1) fraudulently; (2) before an officer who was not the curé of the domicile of one of the parties.

The circumstances under which this decision was delivered were dramatic and calculated to attract publicity. On the 30th March an English judge rendered a judgment hostile to the pretensions of the Catholic church and obviously disturbing to her peace of mind. On the 17th May a French judge rendered a contrary judgment on a similar point and received the congratulations of the clergy. To the hierarchy it must have seemed like the voice of God.

\*R. J. Q., 20 C. S., 506.

What the ultimate force of these two cases will be remains uncertain. Of the two most recent commentators on the Code, one is altogether uninfluenced by the doctrine of Judge Archibald.\* The courts have, in later cases, shown no disposition to follow it. Thus, in *Vallée v. Rousseau* (1907), Judge Tascherenn held that it belongs to the competent religious authority to pronounce on the religious or sacramental tie;† and in *Archambault v. Bonin* (1909), where the archbishop had already granted a decree of nullity, Mr. Justice Dunlap annulled the marriage as to its civil effects.§ Still, in no recent case have the courts gone the length of refusing to act until the ecclesiastical authority has declared as to the validity of the marriage tie. In *Smith v. Cook* (1902), Judge Rochon said: "The recognition by article 127 of the Civil Code of certain impediments to marriage has not the effect of obliging the courts of the province of Quebec to take judicial notice of the ecclesiastical laws which establish them, and therefore the existence of such laws must be alleged and proved by those who desire to take advantage of them."‡ It is probable that the slowly developing spirit of anti-clericalism will eventually invade the bench, and that some day French judges will be eager enough to draw from the law reports a weapon capable of dealing heavy blows to the dominance of the church.

\*F. Langeller, *Cours de droit civil* (Montreal, 1905); but see Beauchamp, *Code civil* (Montreal, 1904), under article 129.

†Revue, xiii, n. s.

‡L. J. (Montreal), 23 July, 1909.

§L. J. (Montreal), 469-471.

## CHAPTER VII.

### *Undue Influence in Elections.*

Nothing has done more to discredit the church in Quebec or to alienate the affections of her adherents than the continual interference of the clergy in politics. Out of it have come great humiliations. Greatest of all was the overthrow of the Conservative party in 1896, an event which signalized unmistakably the resolution of French-Canadian voters to choose their own politics in the future instead of bowing to episcopal commands. In various ways the pretensions of the clergy have been denied. The civil courts have condemned their "undue influence" in elections and incidentally their assertion of immunity from civil jurisdiction. From Rome itself several sharp reprimands have issued, necessary to recall within reasonable bounds a hierarchy which had shown itself more ultramontane than the Pope.

The irritation which this political interference has so often evoked can hardly be called unreasonable. It is true that priests are also citizens and that they have, as such, a perfect right to express their views on public questions.\* But, not contented with the exercise of that right, they have repeatedly enforced their views with threats of spiritual penalties, threats which are peculiarly effective among a people still somewhat ignorant and superstitious. Doubtless that is the chief reason why the public distinguishes between the political activity of Methodist ministers and Catholic priests. There is another reason. The Catholic church has a compact, highly-centralized organization and moves with a single purpose, always towards more power, enunciating un-

\*Langellier, De l'Intimidation cléricale en matière d'élection parlementaire, *Revue légale*, iii. n. s., 504. McPherson, *The Law of Elections in Canada* (Toronto, 1905), pp. 485-501.

equivocally her doctrine of the supremacy of the church over the state.\* When Protestant ministers took the stump against Sir Frederick Borden, no one imagined that the Church of England or the Presbyterian Church was bent upon his undoing. On the contrary, when a Catholic priest works against a candidate, it is more than likely that he is acting as the agent of the church and bearing his part in the consummation of a definite policy. Such a policy the church has had for many years as the firm friend and ally of the Conservative party.

In 1870 appeared the famous "Catholic Programme" which proclaimed that alliance and which soon received the endorsement of the Quebec hierarchy.† It was based upon a pastoral letter of the Bishop of Three Rivers. Since "the separation of Church and State is an absurd and impious doctrine," the pastoral said, " . . .

full and entire adhesion to Roman Catholic doctrines in religion, in politics and in social economy ought to be the first and principal qualification which Catholic electors should require from the candidate." The Conservative party was represented as the champion of Catholic doctrines and of the national interests of French-Canadians. Conservatives should therefore be supported as against Liberals; and where the Conservative candidate rejected and the Liberal candidate accepted the Catholic position, voters should absent themselves from the polls rather than put the interests of the party as a whole in jeopardy.

The united episcopate announced its adhesion to the "Catholic Programme" in their pastoral letter of 22 September, 1875.§ The bishops asserted the supremacy of the church, clerical immunity from civil jurisdiction and the right of priests to employ spiritual threats to influence the votes of their parishioners. They also made clear their hostility to the Liberal party.

\*See extract from the sermon of Father Braun, preached in Montreal on the occasion of the jubilee of Bishop Bourget, 29 October, 1876. Sellar, *Tragedy of Quebec*, p. 182.

†*Journal des Trois Rivières*, 20 April, 1870; Lindsey, *Rome in Canada*, pp. 153-156; Willison, *Sir Wilfrid Laurier and the Liberal Party* (Toronto, 1903), i, 254 sqq.

§Quoted in the case of *Brassard v. Langevin*, 1 S. C. R., 152-157.

"The church is not only independent of civil society," they declared, "but is superior to it because of her origin, her comprehensiveness and the object which she sets before herself. Men bent on deceiving you incessantly repeat that religion has nothing to do with politics; that no attention should be paid to religious principles in the discussion of public affairs; that the clergy have duties to fulfil, but in the church and in the sacristy; and that in politics the people should practice moral independence. Monstrous errors, and woe to the country where they should take root! By excluding the clergy they exclude the church; and by casting the church aside they deprive themselves of all the salutary and immutable principles which she contains—God, morals, justice, truth. . . . The people, therefore, have no greater enemies than those who want to banish religion from politics; for under the pretence of freeing the people from what they call 'priest tyranny,' 'the undue influence of the priest,' they are preparing for the same people the heaviest chains . . . —and they are taking from the civil power the only moral restraint which can stop it from degenerating into despotism and tyranny.

"Is not the priest as much a citizen as others? . . . Anyone may come into a parish and hawk about all sorts of principles; and the priest who lives in the midst of his parishioners, like a father in the midst of his children, has no right to speak, no right to protest against the enormities which are uttered! . . . But it must not be forgotten that it belongs to the Church alone to give to her ministers the instructions which she thinks proper and to reprehend those who depart therefrom. . . .

"Are there questions in which the bishop and priest may, and sometimes should, interfere in the name of religion? Without hesitation we answer: 'Yes, there are political questions in which the clergy may, and even should, interfere in the name of religion.' . . . A candidate may present himself whose platform is hostile to the Church, whose antecedents are such that his candidature is a menace to the same interests. A political party may likewise be judged dangerous, not only by its platform and its antecedents, but also by the par-

ticular platforms and antecedents of its chiefs, its principal members and its press. Can a Catholic, in these cases, without danger to his faith, without proving himself hostile to the Church of which he is a member—can a Catholic, we repeat, refuse to the Church the right to defend herself, or rather defend the spiritual interests of the souls confided to her? But the Church speaks, acts, combats through her clergy, and to deny those rights to the clergy is to deny them to the Church.”

Along with the pastoral went a letter of instruction for the guidance of the clergy.\* These instructions were: “1. A priest, being accused of having exercised undue influence in an election, for having fulfilled some priestly office, or given advice as preacher, confessor or pastor, and being summoned before a court, should respectfully but firmly challenge the competency of the civil court and plead an appeal to an ecclesiastical court. 2. A priest who, having exactly followed the decrees of the Provincial Councils and the orders of his bishop, should nevertheless be condemned by a civil court for undue influence should suffer patiently for the sake of the Holy Church.’

This pastoral letter did not stand alone. Bishop Bourget declared that no candidate should be supported who questioned the employment of spiritual censures in elections or “the intervention of the Pope, the bishops and the priests in the affairs of government.”† The Bishop of Rimouski and other bishops issued similar instructions to their clergy.§ In the light of these manifestoes the subsequent conduct of parish priests in Dominion and Provincial elections was naturally disquieting to the Liberal party and to all those who were opposed to ultramontane principles.

Early in 1876 by-elections took place in the districts of Charlevoix and Chambly. In the latter case, when Dr. Fortier announced his candidacy as a moderate Liberal, Bishop Bourget directed the forces of the Church against him. “Our Holy Father, the Pope, and after him the archbishop and bishops of this province,” said

\*Brassard v. Langevin, 1 S. C. R., 157-158.

†Willison, *op. cit.*, vol. 1., p. 261.

§Willison, *op. cit.*, vol. 1., p. 262.

his Lordship,\* "have declared that Catholic Liberalism is a thing to be regarded with the abhorrence with which one contemplates a pestilence; no Catholic is allowed to proclaim himself a moderate Liberal; consequently this moderate Liberal cannot be elected a representative by Catholics." The effect upon the clergy can be imagined. In Charlevoix, the Hon. Hector L. Langevin accepted the Conservative nomination only when he was assured of the support of the clergy.† One priest publicly declared that the clergy of the county had chosen him unanimously and promised him their support.

Certainly the clergy gave M. Langevin their ardent support. The pastoral letter, which has been quoted above, was read in all the parish churches; and on the Sunday preceding election day sermons took the form of campaign speeches.§ From the pulpit curés threatened spiritual penalties. Voting for the Liberal candidate, M. Tremblay, was even described as a mortal sin, though some curés said that it would merely constitute a serious fault.‡ The Liberal party was pictured as a serpent which crawls in the terrestrial paradise to procure the fall of the human race." Liberals were denounced as false prophets and false Christs who wished to walk in the blood of priests. Their red badge stood for Victor Emanuel and Garibaldi, while the blue badge of the Conservatives stood for the Pope and the Church.

For these reasons the election, which went in favor of the Conservative candidate, was contested in the Superior Court of the District of Saguenay. The hearing of the case took 35 days, nearly two hundred witnesses being examined. In dismissing the petition, Judge Routhier used some remarkable language.|| "The clergy have been the great social and civilizing element of the Canadian people; their history shows that they have been worthy of their high mission. In order that they may continue to fulfill it, they must be free; and that is why the attempt of the petitioners in this case, directed against the influence and instruction of the priest, seems

\*Willison, op. cit., vol. I., 287.

†Facts given in *Brassard v. Langevin*, 1 S. C. R., 145-234.

§Id., 150-151.

‡Id., 162.

||Id., 2 Q. L. R., 323-382.

to me at once the act of bad Catholics and bad citizens." "An ecclesiastic cannot be accused or cited before any other than an ecclesiastical tribunal. This personal immunity of the priest extends to all cases of whatever nature, save with a few rare exceptions which it would take too long to enumerate. Whether he acts as a priest or as a citizen in public life, or as an individual in private life, he is always an 'ecclesiastical person,' and as such he enjoys the privilege of the competent tribunal; that is, he may object to the jurisdiction of any lay court. . . . Such is the Catholic doctrine, and I can explain it in a few words. I am incompetent in all cases in which the question to be decided appertains to dogmatic doctrine, morals or discipline, and also in those where the person prosecuted is an ecclesiastic. I am competent to judge the acts of a priest in so far as they may affect the rights of third parties, provided these acts be of a temporal nature and that the person of the priest be not involved."

When the case was brought before the Supreme Court on appeal, the decision of Judge Routhier was reversed. The court held: "That the election of a member of the House of Commons guilty of clerical undue influence through his agents is void. That sermons and threats by certain parish priests of the county of Charlevoix amounted in this case to acts of undue influence and are in contravention of the 95th section of the Dominion Election Act of 1874."\* Mr. Justice Taschereau said in his opinion:†

"All these sermons . . . were of a nature to produce in the minds of a large number of the electors of the county, compelled to hear these things for several consecutive Sundays, a serious dread of committing a grievous sin, and that of being deprived of the sacraments. This is an exercise of undue influence of the worst kind, inasmuch as these threats and these declarations fell from the lips of the priest speaking from the pulpit in the name of religion, and were addressed to persons of little instruction and generally well disposed to follow the counsel of the curés.

\*Brassard et al. v. Langevin, 1 S. C. R., 145-234.

†Id., 194-195.



According to the testimony of over fifteen witnesses, a very large number changed their opinions on account of this undue influence.

. . . Taking the evidence as a whole, it appears to me to be clear that a general system of intimidation was practised, that consequently undue influence was exercised, and that the electors did not think themselves free in their exercise of the electoral franchise."

M. Langevin had recognized the clergy as his agents by accepting nomination only after the promise of their support, by holding personal conferences with them during the campaign, by stating publicly that they favored his candidature, and by advising the electors to be guided by their curés.

Perhaps the most interesting part of this opinion was the reply of the learned judge to the plea of the defence that ecclesiastics were answerable for their conduct only to ecclesiastical tribunals and could not be summoned before a civil tribunal without the consent of their ecclesiastical superiors. Mr. Justice Taschereau said:\*

I admit, without the least hesitation and with the most sincere conviction, the rights of the Catholic priest to the preaching and the definition of religious dogma and every point of ecclesiastical discipline. I deny to him, in the present case, as in any other similar case, the right of indicating any individual, or political party, and of marking him out and holding him up to public indignation, by accusing him of Catholic Liberalism or any other religious error. And, above all, I deny to him the right to say that he who should bear a part in the election of such a candidate would be committing a grave sin. In admitting the singular doctrine that I combat, a curé would be permitted, by his denunciation, to bring about the exclusion of a Protestant from any candidature for the representation of the people, under the pretext that he was opposed to the Catholic religion.

\*1 S. C. R., 209-210.

As the necessary consequence of this opinion, the defendant argued that even in case of abuse in the matter of preaching or in the exercise of the ministry as pastors, parish priests do not recognize civil tribunals, but only ecclesiastical. . . . A single response would suffice to destroy this singular pretension. The tribunal which ought to take cognizance of an election contest is indicated by the law, which, by this choice excludes any other jurisdiction.

However, let me say a word as to this alleged ecclesiastical tribunal, of which the defendant invokes the exclusive jurisdiction. I ask: Where shall we find this tribunal in Canada? For me it is invisible, indiscernable; it does not exist in this country; it can exist effectively only by the conjoint action of the episcopate and the civil power, or by the mutual consent of the interested parties. . . . If such a tribunal exists, I know of no code of law or procedure for it; it has no power to summon the parties or their witnesses, nor to execute its own sentences. And if it did exist, it would be strange enough to see a Jew asking a Catholic bishop for redress of wrongs suffered at the hands of a Catholic priest, soliciting from the bishop the justice which he may demand from the civil tribunals. . . .

This decision was a serious blow to the partisans of the "Catholic Programme." The annulment of the election in Bonaventure and the disqualification of the Conservative candidate, on the ground that "these fraudulent manoeuvres" of the clergy were practised with his knowledge and consent, filled full the cup of bitterness.\* The ultramontanes struck back. An attempt was made to drive Judge Casault from his chair in Laval University as punishment for the part he had taken in the Bonaventure case; but Rome refused to sanction his removal.† The Bishop of Rimouski condemned certain propositions in the opinion of Judge Casault; for instance, that the civil courts might repress

\*Willison, *op. cit.*, vol. 1., pp. 296-297.

†*Id.*, p. 298.

abuses in preaching and the refusal of the sacraments.\* Finally, a papal brief was secured which seemed to sanction everything which had been done in combating the Liberal party.† Fortified with this, the clergy continued to menace their congregations with spiritual censures whenever by-elections occurred.

The Liberals appealed to Rome, begging for some pronouncement which would put an end to these abuses. In response, Mgr. Conroy, Bishop of Armagh, was sent to make inquiry and render justice. After an investigation, he proclaimed that in the sight of the church the political parties were equal, and—through the medium of a pastoral letter which he instructed the hierarchy to issue—that the intimidation of voters must stop.§ “The decree of the fourth council of Quebec,” the bishops were made to say, “implicitly forbids you to teach from the pulpit or elsewhere that it is a sin to vote for such a candidate or such a political party; with greater reason is it forbidden to you to announce that you will refuse the sacraments on that account.”

The intervention of the Apostolic Delegate and the humiliation of the hierarchy, however, did not have the effect which was intended. The “Catholic Programme” remained the inspiration of the parish priests. Many of them bent their heads and rushed into the campaign of 1878. In Berthier five curés, publicly and privately, in pulpit and in confessional, denounced the Liberal party as a dangerous party condemned by the church, telling their congregations that, if they voted for it, they would put their salvation in danger and expose themselves to a refusal of the sacraments.‡ As a result, the election in that county was annulled.

Again Rome intervened, a sharp rebuke coming from the Sacred Congregation of the Propaganda.|| “The Holy See recognizes the gravity of the facts . . . ; and the harm which the authority of the clergy and the sacred ministry suffer from it is particularly to be deplored. . . . The clergy should always avoid

\*Id., pp. 297-298.

†Dated 13 September, 1876. Id., p. 299.

§David, *Le Clergé canadien*, p. 45.

‡Id., pp. 46-47.

||Id., pp. 48-50; Willison, *op. cit.*, vol. 1., pp. 305-307.

naming persons in the pulpit, especially when it is for the purpose of discrediting them on the occasion of elections." The bishops were informed that the condemnation of Liberalism by the church related to certain errors contrary to Catholic doctrine and not to any political party which happened to be called Liberal, and that it was, therefore, wrong to declare, without other reason, that one of the political parties in Canada had been condemned by the church. The language of this reprimand was too clear, too specific to be misunderstood or disobeyed. Until the Manitoba School Question was brought into Dominion politics, the clergy remained well within the limits which had been fixed by the Supreme Court and the Sacred College. Nor was the outcome of their interference in 1896 calculated to encourage further attempts of a similar kind. What happened then has been called "a revolution and a revelation." Unmistakably and beyond the danger of challenge in the future, it vindicated the principle of a free vote, a vote as free as that in the Province of Ontario or the State of New York.

The Manitoba School Question grew out of the abolition of separate schools by the legislature of that province in 1890.\* That the great majority of the people favored their abolition there can be little doubt. The maintenance of separate schools was felt to be a heavy burden upon a widely scattered population; and the Roman Catholic schools, which necessitated this sacrifice, were notoriously inefficient.† A judgment of the Privy Council, however, based upon a clause of the act which admitted Manitoba to the Dominion, authorized the federal Parliament to intervene on behalf of the Catholic minority. Intervention was therefore undertaken by the Conservative government which was in power at Ottawa. After protracted but fruitless negotiations with Manitoba, there was introduced into the House of Commons, early in 1896, a remedial bill, which restored separate schools and granted in full the demands of the Catholic bishops. It was on the merits of this bill, whose

\*On the whole subject see Willison, *op. cit.*, vol. ii., pp. 201-277.

†Memorial addressed to the Federal Government by the Manitoba Legislature, June, 1895. Willison, vol. ii., p. 213.

passage was interrupted by the expiration of the legal term of Parliament, that the Conservative party went to the people. Led by Wilfrid Laurier, the Liberals opposed the principles of the bill, demanding in its place thorough investigation and just compromise. It was not unnatural, under the circumstances, that the church should have gone to the succor of her old ally; that the Quebec hierarchy, forgetting the lesson which had been read to them after the elections of 1878, should have entered the lists with all their old ardor; and that the campaign of 1896 should have been "the most desperate attempt at clerical coercion which even Canada has ever witnessed."<sup>\*</sup>

It is true that the pastoral letter issued by the united episcopate, although favorable to the Conservatives because of the application which they could make of it, was a great disappointment to them.<sup>†</sup> Every one expected something exceedingly haughty and imperious. Probably the attitude of the Catholic bishops outside Quebec will explain the moderation of its tone. The letter declared the right of the bishops to direct the consciences of the laity on political and social, as well as religious, matters, and quoted words of Pope Leo XIII, which asserted for the church a jurisdiction over "all that is sacred in human affairs."<sup>§</sup> Catholics must "support only those candidates who bind themselves formally and solemnly to vote in Parliament in favor of legislation which will restore to the Catholic minority of Manitoba the school rights to which the honorable Privy Council of England recognizes them to be entitled. . . . This grave duty is incumbent on every good Catholic, and you would not be justified, either before your spiritual guides or before God himself, in neglecting this obligation. . . . A Catholic is not permitted, in whatever position he may be—journalist, elector, candidate or representative, to have two lines of conduct in religious questions, one for private, the other for public life; to trample under foot, in the exercise of his social duties, the obligations imposed on him as a submissive son of the Church."

<sup>\*</sup>Willison, *op. cit.*, vol. II., p. 238.

<sup>†</sup>Daily Witness (Montreal), 18 May, 1896; David, *Le Clergé canadien*, pp. 70-71.

<sup>§</sup>La Verité (Quebec), 23 May, 1896.

This collective *mandement*, reposing on large principles which Catholics might accept irrespective of party, was written with studied moderation. Individual bishops, however, expressed themselves less discreetly. "There is a very important religious question to be settled," said the Bishop of Chicoutimi in a pastoral letter,\* "the question of schools in Manitoba. We regard it as a grave duty of conscience for the electors to give their votes only to the candidates who will engage formally and solemnly to vote, during the present session, for a remedial law which will have been accepted by the ecclesiastical authority. . . . Please remark, I repeat it, that it has to do, in these circumstances, with a grave duty of conscience." It will be noted that this language, though careful, is specific regarding the part which the ecclesiastical authority should play. When the curé of St. Ubalde inquired as to whether it would be a mortal sin to disregard the injunctions of the collective *mandement*, the Vicar-General replied: "If anyone says to you, 'Despite your arguments, I have more confidence in M. Laurier and I am voting for his candidate,' this elector, unless having lost common-sense, will be guilty of a grave and mortal fault. Good Catholics, faithful sons of the Church, will travel in the way indicated by their bishops; the others would be rebel sons, following the way of iniquity and of grave sin, which separates us from God and gives us up to the powers of darkness."† Bishop Langevin, coming from Manitoba for the purpose, delivered violent addresses throughout the parishes of Laprairie and Napierville. In Montreal he said:‡ "All those who do not follow the hierarchy are not Catholics. When the hierarchy has spoken it is useless for a Catholic to say the contrary, for if he acts that way he ceases to be a Catholic. Such a man may bear the title, but in my capacity as bishop I say this evening, and I say it with full authority, that a Catholic who does not follow the hierarchy on the school question is no longer a Catholic. Who would give the title of Catholic to this man? What is the society or government which would give him the right to call himself

\*La Verité, 8 February, 1896.

†David, op. cit., p. 97.

‡Willison, op. cit., vol. ii., p. 239.

Catholic when, by my authority as a Catholic bishop, I declare that this man has no right to the title?" In his Cathedral at Three Rivers, a week after signing the collective *mandement*, Bishop Laflèche delivered a sermon which was, in the phrase of Senator David, as violent as if the Albigenses were to be exterminated again.\* Referring to a speech in which the Liberal member of Parliament for Napierville maintained his right to his own opinion on national and constitutional questions, the bishop said: "There we have the Church set aside in a matter where the very rights of conscience are at stake. There we have a member who rises in face of the bishops and says to them squarely: 'You say that the bill is acceptable, but I say no.' Whom are we to believe? Who has jurisdiction to speak with authority? The Church; that is to say, the hierarchy. The member says it is he. Well, that is Liberalism, pure and simple; that Liberalism which, under pretext that a religious question touches politics on certain sides, forbids religious authority to interfere. . . . Under the circumstances a Catholic cannot, under pain of sinning in a grave matter, vote for the party chief who has formulated so publicly such an error, and for his followers who support him in that error, so long as they shall not have publicly disavowed that error and made a formal engagement to vote for the Remedial Bill accepted by the bishops." An effort was made to intimidate the Liberal leader. In a letter addressed to him in the name of the bishops, Father Lacombe issued this warning:† "If you do not believe it to be your duty to accede to our just demands, and if the government which wishes to give us the promised law should be beaten and overthrown, while keeping firm to the end of the struggle, I inform you with regret that all the episcopate as one man, united with the clergy, will rise to support those who may have fallen in our defence."

If the Conservatives had gone back to Ottawa with a majority, or if they had carried the Province of Quebec, there would have been not a few cases of contested elections in the courts. The Conservatives were, however, decisively beaten. To the astonishment of the hierarchy,

\*Willison, *op. cit.*, vol. ii., pp. 246-247.

†David, *op. cit.*, pp. 78-81.

who were confident of victory, forty-eight of the sixty-five districts in Quebec declared for Wilfrid Laurier. It was a verdict far more damaging to the Church than any number of decisions by the courts. Its meaning was unmistakable: spiritual weapons had lost their edge through over-use. Subsequent elections have shown that the lesson was not lost upon the clergy.

The significance of the victory was well understood by the Liberal press. French newspapers indulged in comments which they would not dare to utter to-day. Said *La Patrie*:\* "A great part of the clergy combated the Liberal party from the first to the last minute, and not only combated it, but also denounced it in letters, sermons, etc. Mgr. Laffèche, from the murky depths of Three Rivers, tried to make Catholics believe that it would be a mortal sin to vote for an honest man like Laurier; Mgr. Labrecque, Mgr. Bégin, Mgr. Duhamel, Mgr. Cameron and other bishops tried each in his fashion to crush our friends; a great number of the curés and vicars threw themselves blindly into the struggle without respect for the pulpit and without respect for their cloth; and they tried to paint vividly the pitch-forks of Satan and the flames of Gehenna to the electors who would vote against Tupper, Haggart and others. . . . They wished to impose on us ideas which were retrograde and outrageous to healthy reason; they wished to lead us back to the Middle Ages, to lead us as poor beasts of burden; but, God be thanked, the good sense of the people asserted itself in all its pride to say to those who believe themselves masters that the Creator gave intelligence to man in order that he might use it. The grand and inspiring victory of yesterday is one of common sense, of freedom of opinion, of eternal reason, of tolerance, of fraternity. The clergy underwent yesterday a more crushing defeat than the Conservative party itself in the Province of Quebec. To-day, for the first time, . . . they must behold in the splendid rays of the sun of St. Jean Baptiste day their ancient and immeasurable influence gone down in the general wreck."

An English paper, *The Daily Witness*, said:† "The ovation given last night to Mr. Laurier on the Champ de Mars was the greatest expression of political sentiment

\*24 June, 1896.

†(Montreal), 24 June, 1896.



since constitutional government was granted to the Canadian people. So vast and so dense was the crowd and so overcharged was its feeling that it was felt to be dangerous to protract its proceedings. . . . For such a demonstration there was sufficient reason, for the event chronicled was the greatest since the constitution was granted. The one thing that the late election revealed above all others was that the country is a free country, and that its people are capable of self-government."

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